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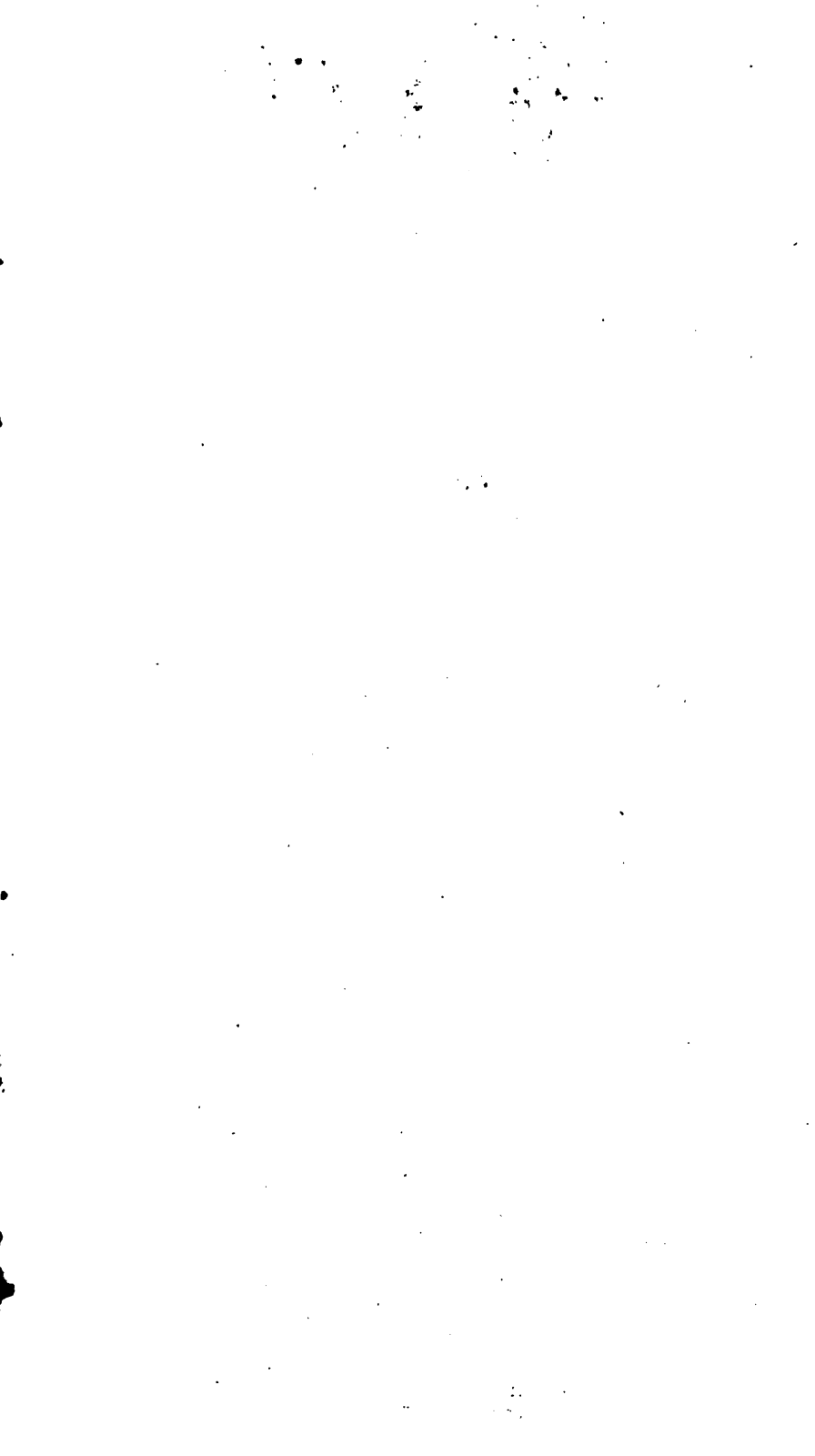
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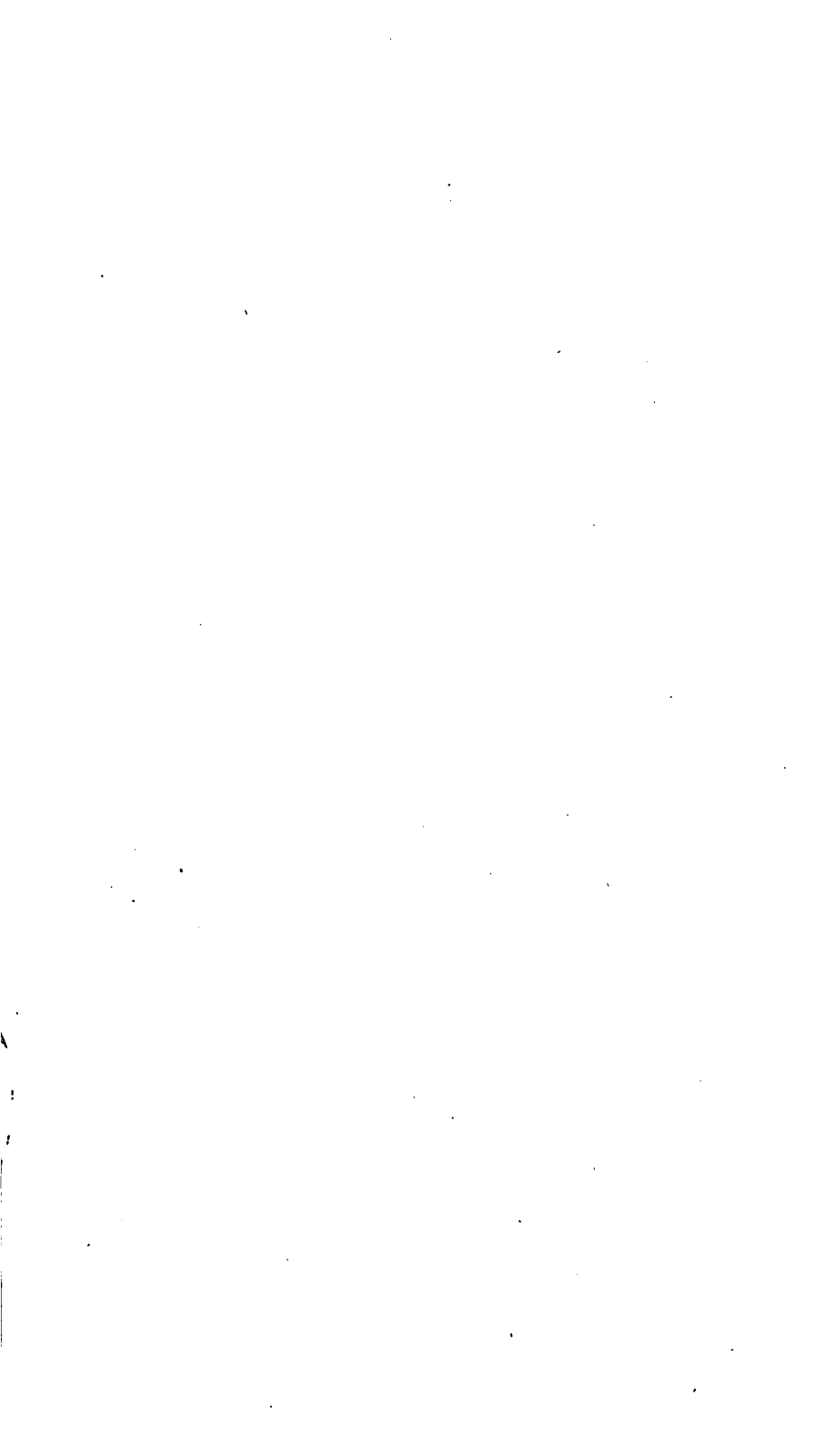




THE
DIPLOMATIC CORRESPONDENCE
OF THE
UNITED STATES OF AMERICA,
FROM THE
TREATY OF PEACE
TO THE ADOPTION OF THE
PRESENT CONSTITUTION.
VOL. IV.



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UNITED STATES OF AMERICA,
FROM THE SIGNING OF THE
DEFINITIVE TREATY OF PEACE,
10TH SEPTEMBER, 1783,
TO THE
ADOPTION OF THE CONSTITUTION, MARCH 4, 1789.
BEING
THE LETTERS OF THE PRESIDENTS OF CONGRESS, THE SECRETARY
FOR FOREIGN AFFAIRS—AMERICAN MINISTERS AT FOREIGN
COURTS, FOREIGN MINISTERS NEAR CONGRESS—REPORTS
OF COMMITTEES OF CONGRESS, AND REPORTS OF
THE SECRETARY FOR FOREIGN AFFAIRS ON
VARIOUS LETTERS AND COMMUNICATIONS;
TOGETHER WITH
LETTERS FROM INDIVIDUALS ON PUBLIC AFFAIRS.

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to an Act of Congress, approved May 5, 1832.

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Extract from an Act of Congress, approved May 5th, 1832, entitled
"An Act making appropriation for the support of Government
"for the year one thousand eight hundred and thirty-two."

"To enable the Secretary of State to cause to be printed, under
"his direction, a selection from the Diplomatic Correspondence of
"the United States, between the peace of one thousand seven hun-
"dred and eighty-three, and the fourth of March one thousand
"seven hundred and eighty nine, remaining unpublished in the De-
"partment of State, twelve thousand dollars."



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in a bill for confining for a time to be limited, the trade between the United States, and his Majesty's subjects in the Island of Newfoundland, to bread, flour, and live stock, to be imported in none but British built ships, belonging to British subjects. Reasons for giving this abridgement of the debate. The United States may learn from it their duty. A plain induction, viz: that no man of any party had the courage to declare himself for a free trade, between the United States and any of the British dominions in America. Mr. Pitt against a total prohibition, but would confine the intercourse to so few articles, that the United States must reject the narrow intercourse. A settled plan to dupe us out of our carrying trade. If the United States submit, they deserve the contempt of the world. The honorable stand of Massachusetts and New Hampshire. Hopes Congress will not be lulled by any fair expressions of Mr. Temple. No reasonable relief can be obtained for our commerce from England. The question submitted, what shall America do? Advises retaliations and prohibitions. National prejudice in favor of the navigation act, from the opinion the United States cannot unite in laws and measures which would make one.	
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Important considerations sacrificed in Great Britain to a momentary tranquillity and credit. Expected fate of the enclosed memorial. Thinks if no answer is given, it should be demanded, and that he should take leave and return home. It now remains with the States to determine whether there is, or is not, a Union in America. With Union they may be respected. Advises that all the great seaport towns should think of the means of defence, and the militia be placed on the best possible footing. African affairs. Happy situation of the people of America, their future power. Propensity to the sea compared to that of the water fowl. Practical statesmen will act accordingly. Memorial respecting the evacuation of the posts, addressed to the Ministry of his Britannic Majesty, dated at Westminster, the 30th November, 1785, (453.)	
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Interview with Lord Carmarthen, who states that he is about to reply officially to the communications of Mr. Adams. Presents to his Lordship the memorial of the 30th November. Reasons for the presentation.	
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Announces an official answer from the Marquis of Carmarthen, with a letter from the Lords of the Admiralty. The answer concerning the sailors more favorable than was expected. That respecting captain Stanhope as much so. General complaints of the foreign Ministers at not receiving an answer to their memorials respecting seamen.	
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Mysterious movements in Government. General Faucett; conjectures with regard to his destination. Other warlike indications. Arnold gone out to America, to be out of the way of contempt, and ready for a new war. Joseph Brandt and Governor Hamilton arrived from Quebec; reports propagated by the refugees of a general confederation of the Indians. Views and hopes of these people. The matters upon which the British government will probably now determine. Something may be learnt during the winter session of Parliament, but shall not know the whole till next summer. Marquis de la Fayette returned from Germany alarmed at the false impressions made by the British newspapers to our disadvantage. Secret motive of those misrepresentations, the fear of emigration. America popular; her condition. State of the people of Europe; their desire of change. Eagerness with which every circumstance is collected which can throw a damp upon emigration. French publications equally forward with those of the English in political inventions for this purpose. General abuse of America by the British press. Refuse to insert acts of Congress or other public documents, in their papers. Attempt to counteract, provoking new inventions. Paramony in support of public servants, its humiliating consequences. Obligations of the Ministers with regard to hospitality.

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ingham possessed of some good opinions; but odious to multitudes of the people. Other favorable considerations. Advance of stocks; commerce flourishing; credit established. The general opinion is, that an act of Parliament will be passed placing the United States upon the footing of the most favored nation. Universal peace, the language now of the Court of France. Gullibility of England. Peace may be maintained some years—till England gets money to go to war. Future prospects and alliances. English opinions with regard to the posts, Canada, &c. Aim and object of the refugees. If they prevail our posts will be retained. Old debts will be the pretence. Situation of the American Minister at London; his insignificance and difficulties. Congress and the Legislatures must act. Policy of closer political connexions doubted. Advantageous ground of the United States if they can unite in a system. Mr. Jay's report on the preceding letter, (475.)

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Some intention of the Ministry to take up American affairs; their conferences with merchants; their inability, if desirous of effecting an equitable settlement. Congress and the States must not relax their measures. Discriminating duties recommended. Report of Mr. Jay upon preceding letters, dated March 30th, 1786, (478.)

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Interview with the Chevalier de Pinto. Question of sending a Portuguese Ambassador to America. Lord Carmarthen had stated he was about to answer the memorial concerning the posts; delayed for further information concerning the debts. Mr. Eden believes there will be a treaty of commerce with America in a year or two. One with France not probable. Reasons for the appointment of Eden to the Court of Versailles.

From the same to the same. Grosvenor Square,
January 26th, 1786. - - - - - 481

Introduces John Anstey, Barister at law and member of Parliament, being vested with authority to verify the claims of loyalists. Transmits debates and the King's speech. Singular forgetfulness of the King and every member of both Houses. Both parties in the State agreed to a confederation with Prussia and Denmark. They likewise agree that the resources of the country are inexhaustible. A confederation

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with Russia and Denmark would be beneficial to America—in what manner. A friendly settlement with Spain desirable. A Minister should be sent to Holland whose inhabitants are the most cordial friends we have in Europe. Conversation with the Marquis of Landsdown and Lord Abbingdon. Opinions deduced therefrom.	
From John Jay to John Adams. May 4th, 1786.	482
Acknowledges receipt of letters to the 26th January, 1786—have all been laid before Congress. No instructions from Congress to say any thing on the subjects of them. States not represented. Prussian treaty received and ratification reported. Printed papers transmitted; will give some idea of affairs. Proposed imposts gaining ground. Mr. Anstey arrived. Mr. Hancock absent from Congress. Thinks the President of Congress should absent himself as little as possible.	
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Recommends and eulogizes in a particular manner Colonel Humphreys who is about to return to America.	
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On African affairs. An Envoy from Tripoli in London.	
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The Tripoline Ambassador, the object of his mission. Interview with him; substance of the conference.	
From John Adams to John Jay. Grosvenor Square, February 20th, 1786.	491
Second interview with the Tripolitan Minister; relation of the conference. Mr. Jefferson requested to come over to London. If the sum limited by Congress should be insufficient for the treaty, thinks a million of guilders might be borrowed in Holland.	
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ERRATUM—Page 49 line 29 for "*scrupulous*" read *crapulous*.



THE
DIPLOMATIC CORRESPONDENCE
OF THE
UNITED STATES.

VOL. IV.—1



THE
CORRESPONDENCE
OF
THOMAS JEFFERSON,

ONE OF THE COMMISSIONERS FOR THE FORMATION OF
TREATIES OF AMITY AND COMMERCE, AND MIN-
ISTER PLENIPOTENTIARY TO FRANCE.

WITH
THE ANSWERS OF JOHN JAY,
SECRETARY FOR FOREIGN AFFAIRS.

[CORRESPONDENCE CONTINUED.]

FROM THOMAS JEFFERSON TO JOHN JAY.

Paris, Nov. 19, 1788.

Sir,

Since my letter of September 5, wherein I acknowledged Mr. Remsen's favor of July 25, I have written those of September 24 and of the 14th inst.; this last will accompany the present; both going by the way of London, for want of a direct opportunity; but they go by a private hand.

No late event worth notice has taken place between the Turks and Austrians. The former continue in the territories of the latter with all the appearances of superiority. On the side of the Russians, the war wears an equal face, except that the Turks are still masters of the Black Sea. Oczakow is not yet taken. Denmark fur-

nished to Russia its stipulated quota of troops with so much alacrity, and was making such other warlike preparations, that it was believed they meant to become principals in the war against Sweden. Prussia and England hereupon interposed efficiently; their Ministers appointed to mediate, gave notice to the Court of Copenhagen, that they would declare war against them in the name of their sovereigns, if they did not immediately withdraw their troops from the Swedish territories. The Court of London has since said that their Minister (Elliott) went further in this than he was authorized; however, the Danish troops are retiring. Poland is augmenting its army from twenty to an hundred thousand men. Nevertheless, it seems as if England and Prussia meant in earnest to stop the war in that quarter, contented to leave the two empires in the hands of the Turks. France, desired by Sweden to join the Courts of London and Berlin, in their mediation between Sweden and Russia, has declined it. We may be assured she will meddle in nothing external before the meeting of her States General. Her temporary annihilation in the political scale of Europe, leaves to England and Prussia the splendid role of giving the law without meeting the shadow of opposition. The internal tranquillity of this country is perfect. Their stocks, however, continue low, and the difficulty of getting money to face current expenses, very great. In the contest between the King and Parliament, the latter fearing the power of the former, pressed the convoking the States General; the Government found itself obliged, by other difficulties, also to recur to the same expedient. The Parliament, after its recall, showed that it was now become apprised

hensive of the States General; and discovered a determination to cavil at their form, so as to have a right to deny their legality, if that body should undertake to abridge their powers. The Court, hereupon, very adroitly determined to call the same Notables who had been approved by the nation the last year, to decide on the form of convoking the *Etats Generaux*; thus withdrawing itself from the disputes which the Parliament might excite, and committing them with the nation. The Notables are now in session. The Government had manifestly discovered a disposition that the *tiers-etat* or commons should have as many representatives in the States General as the nobility and clergy together, but five bureaux of the Notables have voted by very great majorities, that they should have only an equal number with each of the other orders singly.

One bureau, by a majority of a single voice, had agreed to give the commons the double number of representatives, this is the first symptom of a decided combination between the nobility and clergy, and will necessarily throw the people into the scale of the King. It is doubted, whether the States can be collected so early as January, though the government, urged by the want of money, is for pressing their convocation. It is still more uncertain what the States will do, when they meet, there are three objects which they may attain, probably without opposition from the Court. 1. A periodical meeting of the States. 2. Their exclusive right of taxation. 3. The right of enregistering laws and proposing amendments to them, as now exercised by the parliaments; this would lead, as it did in England, to the right of originating laws, the parliament would, by this last measure, be reduced to a mere judiciary body,

and would, probably, oppose it; but against the King and nation their opposition could not succeed. If the States stop here for the present moment, all will probably end well, and they may, in future sessions, obtain a suppression of *lettres de cachet*, free press, a civil list, and other valuable modifications of their government; but it is to be feared that an impatience to rectify every thing at once, which prevails in some minds, may terrify the Court, and lead them to appeal to force, and to depend on that alone.

Before this can reach you, you will, probably, have heard of an *arrêt* passed the 28th of September, for prohibiting the introduction of foreign whale oils, without exception. The English had glutted the markets of this country with their oils. It was proposed to exclude them, and an *arrêt* was drawn, with an exception for us. In the last stage of this *arrêt*, the exception was struck out, without my having any warning, or even suspicion of this. I suppose this stroke came from the Count de la Luzerne, Minister of marine, but I cannot affirm it positively. As soon as I was apprized of this, which was several days after it passed, (because it was kept secret till published in their seaports) I wrote to the Count de Montmorin, a letter, of which the enclosed is a copy, and had conferences on the subject from time to time, with him and the other Ministers. I found them possessed by the partial information of their Dunkirk fishermen; and, therefore, thought it necessary to give them a view of the whole subject in writing, which I did in the piece, of which I enclose you a printed copy. I therein entered into more details than the question between us seemed rigorously to require. I was led to them by other objects, the most important was to disgust

Mr. Necker, as an economist, against their new fishery, by letting him foresee its expense. The particular manufactures suggested to them, were in consequence of repeated applications from the shippers of rice and tobacco, other details which do not appear immediately pertinent, were occasioned by circumstances which had arisen in conversation, or an apparent necessity of giving information on the whole matter. At a conference, in the presence of Mr. Lambert, on the 16th, (where I was ably aided by the Marquis de la Fayette, as I have been through the whole business) it was agreed to exempt us from the prohibition, but they will require rigorous assurance that the oils coming under our name, are really of our fishery; they fear we shall cover the introduction of the English oils from Halifax.

The *arrêt* for excepting us was communicated to me, but the formalities for proving the oils to be American were not yet inserted. I suppose they will require every vessel to bring a certificate from their Consul or Vice Consul, residing in the State from which it comes. More difficult proofs were sometimes talked of. I suppose I might surely affirm to them, that our government would do whatever it could to prevent this fraud, because it is as much our interest as theirs, to keep the market for the French and American oils only. I am told Massachusetts has prohibited the introduction of foreign fish oils into her ports. This law, if well executed, will be an effectual guard against fraud; and a similar one in the other States interested in the fishery, would much encourage this government to continue her indulgences to us. Though the *arrêt* then for the re-admission of our oils is not yet passed, I think I may assure you it will be so in a few days, and of course that this branch of com-

merce, after so threatening an appearance, will be on a better footing than ever, as enjoying jointly with the French oil, a monopoly of their markets. The continuance of this will depend on the growth of their fishery; whenever they become able to supply their own wants, it is very possible, they may refuse to take our oils, but I do not believe it possible for them to raise their fishery to that, unless they can continue to draw off our fishermen from us. Their seventeen ships this year, had 150 of our sailors on board. I do not know what number the English have got into their service. You will readily perceive that there are particulars in these printed observations, which it would not be proper to suffer to become public. They were printed merely that a copy might be given to each Minister, and care has been taken to let them go into no other hands.

I must now trouble Congress with a petition on my own behalf. When I left my own house in October, 1783, it was to attend Congress as a member, and in expectation of returning in five or six months. In the month of May following however, I was desired to come to Europe, as member of a commission which was to continue two years only. I came off immediately, without going home to make any other arrangements in my affairs, thinking they would not suffer greatly, before I should return to them; before the close of the two years Doctor Franklin retiring from his charge here, Congress were pleased to name me to it; so that I have been led on by events, to an absence of five years, instead of five months. In the meantime, matters of great moment to others as well as myself, and which can be arranged by nobody but myself, will await no longer. Another motive of still more powerful cogency on

my mind, is the necessity of carrying my family back to their friends and country. I must, therefore, ask of Congress a leave of short absence, allowing three months on the sea going and coming, and two months at my own house, which will suffice for my affairs. I need not be from Paris, but between five and six months. I do not foresee any thing which can suffer during my absence. The Consular Convention is finished, except as to the exchange of ratifications, which will be the affair of a day only. The difference with Schweighauser and Dabrée, relative to our arms, will be finished. That of Denmark, if ever finished, will probably be long spun out. The ransom of the Algerine captives is the only matter likely to be on hand. That cannot be set on foot till the money is raised in Holland, and an order received for its application. Probably these will take place, so that I may set it into motion before my departure. If not, I can still leave it on such a footing, as to be put into motion the moment the money can be paid. And even when the leave of Congress shall be received, I will not make use of it if there is any thing of consequence which may suffer; but would postpone my departure till circumstances would admit it. But should these be as I expect they will, it will be vastly desirable to me to receive the permission immediately, so that I may go out as soon as the vernal equinox is over, and be sure of my return in good time and season in the fall. Mr. Short, who had had thoughts of returning to America, will postpone that return till I come back. His talents and character, allow me to say with confidence, that nothing will suffer in his hands. The friendly dispositions of Monsieur de Montmorin, would induce him readily to communicate with Mr. Short in his present

character, but should any of his applications be necessary to be laid before the Council, they might suffer difficulty. Nor could he attend the diplomatic societies, which are the most certain sources of good intelligence. Would Congress think it expedient to remove the difficulties, by naming him Secretary of Legation, so that he would act of course as *Chargé d’Affaires* during my absence? It would be just that the difference between the salary of a Secretary, and a Secretary of Legation, should cease as soon as he should cease to be charged with the affairs of the United States; that is to say, on my return. And he should expect that; so that this difference for for five or six months, would be an affair of about one hundred and seventy guineas only; which would be not more than equal to the additional expenses that would be brought on him necessarily, by the change of character. I mention these particulars, that Congress may see the end as well as the beginning of the proposition, and have only to add, “their will be done.” Leave for me being obtained, I will ask it, sir, of your friendship to avail yourself of various occasions to the ports of France and England, to convey me immediate notice of it, and relieve me as soon as possible, from the anxiety of expectation, and the uncertainty in which I shall be. We have been in daily expectation of hearing of the death of the King of England. Our latest news are of the 11th; he had then been despaired of for three or four days. But as my letter is to pass through England, you will have later accounts of him than that can give you. I send you the newspapers to this date, and have the honor to be, with the greatest esteem and respect, sir, your most obedient humble servant.

TH: JEFFERSON.

P. S. The last crop of corn in France has been so short, that they apprehend want. Mr. Necker desired me to make known this scarcity to our merchants, in hopes they would send supplies. I promised him I would. If it could be done without naming him, it would be agreeable to him, and probably advantageous to the adventurer.

Arrêt of the King's Council of State, prohibiting the importation of foreign whale and spermaceti oil into his Kingdom.

Translation.

September 28, 1788.

Extract from the Registers of the Council of State.

The King having taken information on the success attending the whale fishery, and the prospect of its greater prosperity within his Kingdom, and his Majesty being willing to grant a special protection to this important fishery, which has just commenced in France, and which may become an abundant source of riches, while at the same time it affords to the marine, a nursery for seamen, of great consequence to the service of the State. His Majesty has conceived, that the prohibition of foreign oil would be the most beneficial encouragement that could be granted to this branch of industry. Being willing to provide accordingly, and having heard the report of the Sieur Lambert, Counsellor of State, and Ordinary to the Council of despatches, and to the Royal Council of finances and commerce; the King being

present in his Council, has ordained and does ordain, that, computing from the day of publishing the present *arrêt*, the introduction of Foreign whale and spermaceti oils, shall be prohibited throughout his dominions. His Majesty commands and orders the Duke de Penthièvre, Admiral of France, the intendants and commissaries throughout the provinces, the commissaries deputed for the observation of the ordinances in the admiralties, the officers of the admiralties, masters of ports, judges of treaties, and all others whom it may concern, to assist in the execution of the present *arrêt*, which shall be registered in the offices of the said admiralties, read, published and posted, wherever it shall be necessary.

Done in the King's Council of State, his Majesty being present, held at Versailles, 28th September, 1788.

LA LUZERNE.

The Duke de Penthièvre, Admiral of France, the King's Governor and Lieutenant General in his province of Brittany, having seen the *arrêt* of the King's Council of State, as above, and in other parts, addressed to us, we command all those over whom our power extends, to execute, and cause to be executed, each one as his duty is, according to its form and tenor, we order the officers of the admiralties to cause it to be registered in the offices of their jurisdiction, to read, publish and post it wherever it may appear necessary.

Done at Vernon, the 6th October, 1788.

L. J. M. DE BOURBON.

And beneath by his Most Serene Highness,

PERIER.

FROM THOMAS JEFFERSON TO THE COUNT DE MONTMORIN.

Paris, October 23, 1788.

Sir,

I take the liberty of troubling your Excellency on the subject of the *arrêt*, which has lately appeared for prohibiting the importation of whale oils and spermaceti, the produce of foreign fisheries. This prohibition being expressed in general terms; seems to exclude the whale oils of the United States of America, as well as of the nations of Europe. The uniform disposition however which his Majesty and his Ministers have shewn to promote the commerce between France and the United States by encouraging our productions to come hither, and particularly those of our fisheries, induces me to hope that these were not within their view, at the passing of this *arrêt*. I am led the more into this opinion, when I recollect the assiduity employed for several months in the year 1785, by the committee appointed by government to investigate the objects of commerce of the two countries, and to report the encouragements, of which it was susceptible; the result of that investigation, which his Majesty's Comptroller General did me the honor to communicate in a letter of the 22nd of October, 1786, stating therein the principles which should be established for the future regulation of that commerce, and particularly distinguishing the article of whale oils, by an abatement of the duties on them for the present, and a promise of farther abatement after the year 1790. The thorough investigation with which Monsieur de Lambert honored this subject, when the letter of 1786 was to be put into the form of an *arrêt*, that *arrêt* itself bearing date the 29th

of December last, which ultimately confirmed the abatements of duty present and future, and declared that his Majesty reserved to himself to grant other favors to that production, if on further information, he should find it for the interest of the two nations, and finally, the letter in which M. Lambert did me the honor to enclose the *arrêt*, and to assure me that the duties which had been levied on our whale oils contrary to the intention of the letter of 1786, should be restored. On a review then of all these circumstances, I cannot but presume that it has not been intended to reverse in a moment, views so maturely digested and uniformly pursued; and that the general expressions of the *arrêt* of September 28, had within their contemplation, the nations of Europe only. This presumption is further strengthened by having observed in the treaties of commerce, made since the epoch of our independence, the *jura gentis amicissimæ* conceded to other nations are expressly restrained to those of the most favored *European* nations; his Majesty wisely foreseeing that it would be expedient to regulate the commerce of a nation, which brings nothing but raw materials to employ the industry of his subjects, very differently from that of the European nations, who bring mostly, what has already passed through all the stages of manufacture.

On these considerations, I take the liberty of asking information from your Excellency as to the extent of the late *arrêt*; and if I have not been mistaken in supposing it did mean to abridge that of December 29, I would solicit an explanatory *arrêt* to prevent the misconstructions of it, which will otherwise take place. It is much to be desired too, that this explanation could be given

as soon as possible, in order that it may be handed out with the *arrêt* of September 28. Great alarm may otherwise be spread among the merchants and adventurers in the fisheries; who confiding in the stability of regulation, which his Majesty's wisdom had so long and well matured, have embarked their fortunes in speculations in this branch of business.

The importance of the subject to one of the principal members of our Union, induces me to attend with great anxiety, a re-assurance from your Excellency, that no change has taken place in his Majesty's views on this subject; and that his dispositions to multiply, rather than diminish the combinations of interest between the two people, continue unaltered.

Commerce is slow in changing its channel, that between this country and the United States is as yet, but beginning, and this beginning has received some checks. The *arrêt* in question would be a considerable one, without the explanation I have the honor to ask. I am persuaded that a continuation of the dispositions, which have been hitherto manifested towards us, will ensure effects, political and commercial, of value to both nations.

I have had too many proofs of the friendly interest, your Excellency is pleased to take in whatever may strengthen the bands and connect the views of the two countries, to doubt your patronage of the present application; or to permit any occasion of repeating assurances, of those sentiments of high respect and esteem, with which

I have the honor to be, &c.

TH: JEFFERSON.

Mr. Jefferson's observations on the Whale Fishery.

Whale oil enters, as a raw material, into several branches of manufacture: as of wool, leather, soap; it is used, also, in painting, architecture and navigation. But its great consumption is in lighting houses and cities. For this last purpose, however, it has a powerful competition in the vegetable oils. These do well in warm still weather, but they fix with cold, they extinguish easily with the wind, their crop is precarious, depending on the seasons, and to yield the same light, a larger wick must be used, and greater quantity of oil consumed. Estimating all these articles of difference together, those employed in lighting cities, find their account in giving about twenty-five per cent. more for whale than for vegetable oils. But higher than this the whale oil, in its present form, cannot rise; because it then becomes more advantageous to the city-lighters to use others. This competition then, limits its price, higher than which no encouragement can raise it, and becomes, as it were, a law of its nature; but at this low price, the whale fishery is the poorest business into which a merchant or sailor can enter. If the sailor, instead of wages, has a part of what is taken, he finds that this, one year with another, yields him less than he could have got as wages in any other business. It is attended too, with great risk, singular hardships, and long absence from his family. If the voyage is made solely at the expense of the merchant, he finds that, one year with another, it does not reimburse him his expenses. As, for example, an English ship of three hundred tons and forty-two hands, brings home *communibus annis*, after a four months voy-

age, twenty-five tons of oil, worth 437*l.* 10*s.* sterling, but the wages of the officers and seamen will be 400*l.*; the outfit then, and the merchant's profit must be paid by the Government; and it is accordingly, on this idea, that the British bounty is calculated. From the poverty of this business then, it has happened that the nations who have taken it up, have successively abandoned it. The Basques began it; but though the most economical and enterprising of the inhabitants of France, they could not continue it; and it is said they never employed more than thirty ships a year. The Dutch and Hanse towns succeeded them. The latter gave it up long ago, though they have continued to lend their name to British and Dutch oils. The English carried it on, in competition with the Dutch during the last, and beginning of the present century. But it was too little profitable for them, in comparison with other branches of commerce open to them. In the meantime too, the inhabitants of the barren Island of Nantucket had taken up this fishery, invited to it by the whales presenting themselves on their own shores. To them, therefore, the English relinquished it, continuing to them, as British subjects, the importation of their oils into England duty free; while foreigners were subject to a duty of 18*l.* 5*s.* sterling a ton. The Dutch were enabled to continue it long, because,

1. They are so near the northern fishing grounds, that a vessel begins her fishing very soon after she is out of port.
2. They navigate with more economy than the other nations of Europe.
3. Their seamen are content with lower wages; and
4. Their merchants, with a lower profit on their capital.

Under all these favorable circumstances however, this

branch of business, after long languishing, is at length nearly extinct with them. It is said they did not send above half a dozen ships in pursuit of the whale this present year. The Nantuckois then were the only people who exercised this fishery to any extent, at the commencement of the late war. Their country from its barrenness, yielding no subsistence, they were obliged to seek it in the sea which surrounded them. Their economy was more rigorous than that of the Dutch. Their seamen instead of wages, had a share in what was taken. This induced them to fish with fewer hands, so that each had a greater dividend in the profit. It made them more vigilant in seeking game, bolder in pursuing it, and parsimonious in all their expenses. London was their only market. When therefore by the late revolution, they became aliens in Great Britain, they became subject to the alien duty of 18£ 5s. the ton of oil, which being more than equal to the price of the common whale oil, they were obliged to abandon that fishery. So that, this people, who before the war had employed upwards of 300 vessels a year in the whale fishery, (while Great Britain had herself never employed one hundred,) have now almost ceased to exercise it. But they still had the seamen, the most important material for this fishery; and they still retained the spirit of fishing; so that at the re-establishment of peace, they were capable in a very short time of reviving their fishery in all its splendor. The British Government saw that the moment was critical. They knew that their own share in that fishery was as nothing. That the great mass of fishermen was left with a nation now separated from them, that these fishermen, however, had lost their an-

cient market, had no other resource within their country to which they could turn, and they hoped, therefore, they might, in the present moment of distress, be decoyed over to their establishments, and be added to the mass of their seamen. To effect this, they offered extravagant advantages to all persons who should exercise the whale fishery from British establishments. But not counting with much confidence, on a long connexion with their remaining possessions, on the continent of America, foreseeing that the Nantuckois would settle in them preferably, if put on an equal footing with those of Great Britain, and that thus they might have to purchase them a second time, they confined their high offers to settlers in Great Britain. The Nantuckois, left without resource by the loss of their market, began to think of removing to the British dominions; some to Nova Scotia, preferring smaller advantages in the neighborhood of their ancient country and friends; others to Great Britain, postponing country and friends to high premiums. A vessel was already arrived from Halifax to Nantucket, to take off some of those who proposed to remove; two families had gone on board, and others were going, when a letter was received there, which had been written by Monsieur le Marquis de la Fayette to a gentleman in Boston, and transmitted by him to Nantucket. The purport of the letter was to dissuade their accepting the British proposals, and to assure them that their friends in France would endeavor to do something for them. This instantly suspended their design; not another went on board, and the vessel returned to Halifax with only the two families.

In fact, the French government had not been inatten-

tive to the views of the British, nor insensible of the crisis. They saw the danger of permitting five or six thousand of the best seamen existing, to be transferred by a single stroke, to the marine strength of their enemy, and to carry over with them, an art, which they possessed almost exclusively. The counter plan which they set on foot, was, to tempt the Nantuckois, by high offers to come and settle in France. This was in the year 1785. The British, however, had in their favor a sameness of language, religion, laws, habits and kindred. Nine families only, of thirty-three persons in the whole, came to Dunkirk; so that this project was not likely to prevent their emigration to the English establishments, if nothing else had happened.

France had effectually aided in detaching the United States of America from the force of Great Britain; but as yet, they seemed to have indulged only a silent wish to detach them from her commerce. They had done nothing to induce that event. In the same year, 1785, while M. de Calonne was in treaty with the Nantuckois, an estimate of the commerce of the United States was submitted to the Count de Vergennes, and it was shown, that of three millions of pounds sterling, to which their exports amounted, one-third might be brought to France, and exchanged against her productions and manufactures advantageously for both nations, provided the obstacles of prohibition, monopoly, and duty, were either done away or moderated, as far as circumstances would admit. A committee, which had been appointed to investigate a particular one of these subjects, was thereupon instructed to extend its researches to the whole, and see what advantages and facilities the Government

could offer for the encouragement of a general commerce with the United States. The committee was composed of persons well skilled in commerce; and after laboring assiduously for several months, they made their report: the result of which was given in the letter of his Majesty's Comptroller General of the 2nd of October, 1786; wherein he stated the principles which should be established for the future regulation of the commerce between France and the United States. It was become tolerably evident, at the date of this letter, that the terms offered to the Nantuckois would not produce their emigration to Dunkirk; and that it would be safest, in every event, to offer some other alternative which might prevent their acceptance of the British offers. The obvious one was to open the ports of France to their oils, so that they might still exercise their fishery, remaining in their native country, and find a new market for its produce instead of that which they had lost. The article of whale oil was accordingly, distinguished in the letter of M. de Calonne, by an immediate abatement of duty, and promise of further abatement after the year 1790. This letter was instantly sent to America, and bid fair to produce there the effect intended, by determining the fishermen to carry on their trade from their own homes, with the advantage only of a free market in France, rather than remove to Great Britain, where a free market and great bounty were offered them. An *arrêt* was still to be prepared to give legal sanction to the letter of M. de Calonne. M. Lambert, with a patience and assiduity almost unexampled, went through all the investigations necessary to assure himself that the conclusions of the committee had been just. Frequent conferences on this

subject were held in his presence. The deputies of the Chambers of Commerce were heard, and the result was the *arrêt* of December 29, 1787, confirming the abatements of duty, present and future, which the letter of October, 1786, had promised, and reserving to his Majesty to grant still further favors to that production, if on further information, he should find it for the interest of the two nations.

The English had now begun to deluge the markets of France with their whale oils, and they were enabled by the great premiums given by their government, to undersell the French fishermen, aided by feeble premiums, and the American aided by his poverty alone. Nor is it certain that these speculations were not made at the risk of the British government, to suppress the French and American fishermen in their only market. Some remedy seemed necessary. Perhaps it would not have been a bad one to subject, by a general law, the merchandize of every nation and of every nature, to pay additional duties in the ports of France, exactly equal to the premiums and drawbacks given on the same merchandize by their own government. This might not only counteract the effect of premium in the instance of whale oils, but attack the whole British system of bounties and drawbacks, by the aid of which, they make London the centre of commerce for the whole earth. A less general remedy, but an effectual one, was to prohibit the oils of all European nations. The treaty with England requiring only, that she should be treated as well as the most favored European nation. But the remedy adopted was to prohibit all oils, without exception.

To know how this remedy will operate, we must consider the quantity of whale oil which France consumes annually, the quantity she obtains from her own fishery, and, if she obtains less than she consumes, we are to consider what will follow this prohibition.

The annual consumption of France, as stated by a person who has good opportunities of knowing it, is as follows:

				<i>Pesant. quintaux. tons.</i>
Paris, according to the registers of 1786	-	-	2,800,000	28,000 1750
27 other cities, lighted by M. Sangrain,	-	-	800,000	8,000 500
Rouen,	-	-	500,000	5,000 312½
Bordeaux,	-	-	600,000	6,000 375
Lyon,	-	-	300,000	3,000 187½
Other cities, leather and light,	-	-	3,000,000	30,000 1875
				8,000,000 80,000 5000

Other calculations reduce the consumption to about half this. It is treating these with sufficient respect to place them on an equal footing with the estimate of the person before alluded to, and to suppose the truth half way between them. We will call then, the present consumption of France only 60,000 quintals, or 3750 tons a year. This consumption is increasing fast, as the practice of lighting cities is becoming more general, and the superior advantages of lighting them with whale oil are but now beginning to be known.

What do the fisheries of France furnish? She has employed, this year, fifteen vessels in the southern, and

two in the northern fishery, carrying four thousand five hundred tons in the whole, or two hundred and sixty-five each, on an average. The English ships, led by Nantuckois as well as the French, have, as I am told, never averaged, in the southern fishery, more than one fifth of their burthen, in the best year. The fifteen ships of France, according to this ground of calculation, and supposing the present to have been one of the best years, should have brought, one with another, one fifth of two hundred and sixty-five tons, or fifty-three tons each. But we are told they have brought near the double of that, to wit, one hundred tons each, and one thousand five hundred tons in the whole. Supposing the two northern vessels to have brought home the cargo which is common from the northern fishery, to wit, twenty-five tons each, the whole produce this year will then be one thousand five hundred and fifty tons. This is five and a half months provision, or two-fifths of the annual consumption. To furnish for the whole year would require forty ships of the same size, in years as fortunate as the present, and eighty-five *communibus annis*, forty-four tons, or one sixth of the burthen, being as high an average as should be counted on, one year with another; and the number must be increased with the increasing consumption. France then, is evidently not yet in a condition to supply her own wants. It is said, indeed, she has a large stock on hand unsold, occasioned by the English competition. 33,000 quintals including this years produce are spoken of. This is between six and seven months provision; and supposing by the time this is exhausted, that the next year's supply comes in, that will enable her to go on five or six months longer; say

a twelvemonth in the whole. But at the end of the twelvemonth, what is to be done? The manufactures depending on this article cannot maintain their competition against those of other countries, if deprived of their equal means. When the alternative then, shall be presented of letting them drop, or opening the ports to foreign whale oil, it is presumed the latter will be adopted as the lesser evil. But it will be too late for America; her fishery annihilated during the late war, only began to raise its head on the prospect of a market held out by this country, crushed by the *arrêt* of September 28, in its first feeble effort to revive, it will rise no more. Expeditions which require the expense of the outfit of vessels, and from nine to twelve months navigation, as the Southern fishery does, most frequented by the Americans, cannot be undertaken in sole reliance on a market which is opened and shut from one day to another, with little or no warning. The English alone then, will remain to furnish these supplies, and they must be received even from them. We must accept bread from our enemies, if our friends cannot furnish it. This comes exactly to the point to which that Government has been looking. She fears no rival in the whale fishery but America, or rather it is the whale fishery of America of which she is endeavoring to possess herself. It is for this object, she is making the present extraordinary efforts by bounties and other encouragements; and her success so far is very flattering. Before the war she had not 100 vessels in the whale trade, while America employed 309, in 1786 Great Britain employed 151 vessels, in 1787, 286, in 1788, 314, nearly the ancient American number; while the latter is fallen to about 80. They

have just changed places then, England having gained exactly what America has lost. France by her ports and markets holds the balance, between the two contending parties, and gives the victory by opening and shutting them, to which she pleases. We have still precious remains of seamen educated in this fishery, and capable by their poverty, their boldness and address, of recovering it from the English, in spite of their bounties. But this *arrêt* endangers the transferring to Great Britain every man of them, who is not invincibly attached to his native soil. There is no other nation in present condition to maintain a competition with Great Britain in the whale fishery. The expense at which it is supported on her part, seems enormous; 255 vessels of 75,436 tons, employed by her this year in the northern fishery at 42 men each; and 59 in the southern at 18 men each; makes 11,772 men. These are known to have cost the Government £15 each, or £176,580 in the whole, and that to employ the principal part of them from three to four months only. The northern ships have brought home twenty, and the southern, sixty tons of oil on an average making 8,640 tons; every ton of oil, then, has cost the Government £20 in bounty. Still, if they can beat us out of the field, and have it to themselves, they will think their money well employed. If France undertakes solely the competition against them, she must do it at equal expense. Four thousand five hundred tons of shipping, this year, at a bounty of 50*liv.* the ton, have cost France, in bounty 225,000*liv.* which, divided on 1550 tons of oil, comes to 145*liv.* the ton. But when her ships, like those of other nations, shall bring home *communibus annis*, but one-sixth of their

burthen, she will pay six tons of shipping, or 300*liv.* for every ton of oil ; she can buy that ton of oil at Boston, for 375 to 400*liv.* or with half its measure of wine. Again ; calculate the expense on the men. There were not one hundred French seamen on board the seventeen whale ships of this year. Each man then, has cost the Government more than 2250*liv.* ; we may even say 100*louis.* each. The trade is too poor to support itself. The eighty-five ships necessary to supply even her present consumption, bountied as the English are, will require a sacrifice of 1,285,200*liv.* a year, to maintain 3,570 seamen, and that a part of the year only. And if she will push it to 12,000 men, in competition with England, she must sacrifice, as they do, four or five millions a year. The same number of men might, with the same bounty, be kept in as constant employ carrying stone from Bayonne to Cherbourg, or coal from Newcastle to Havre, in which navigations they would be always at hand, and become as good seamen. The English consider among their best sailors, those employed in carrying coal from Newcastle to London. France cannot expect to raise her fishery, even to the supply of her own consumption, in one year or in several years. Is it not better then, by keeping her ports open to the United States, to enable them to aid in maintaining the field against the common adversary, till she shall be in condition to take it herself, and to supply her own wants ? Otherwise, her supplies must aliment that very force which is keeping her under. On our part, we can never be dangerous competitors to France. The extent to which we can exercise this fishery is limited to that of the barren island of Nantucket, and a few similar barren

spots ; its duration to the pleasure of this Government, as we have no other market.

A material observation must be added here. Sudden vicissitudes of opening and shutting ports, do little injury to merchants settled on the opposite coast, watching for the opening, like the return of a tide, and ready to enter with it. But they ruin the adventurer whose distance requires six months notice. Those who are now arriving from America, in consequence of the *arrêt* of December 29, will consider it as the false light which has led them to their ruin. They will be apt to say that they came to the ports of France by invitation of that *arrêt* ; that the subsequent one of September 28, which drives them from those ports, founds itself on a single principle, viz : that the prohibition of foreign oils is the most useful encouragement which can be given to that branch of industry. They will say that, if this be a true principle, it was as true on the 29th of December, 1787, as on the 28th of September, 1788. It was then weighed against other motives judged weaker, and overruled, and it is hard it should be now revived to ruin them.

The refinery for whale oil lately established at Rouen, seems to be an object worthy of national attention. In order to judge of its importance, the different qualities of whale oil must be noted. Three qualities are known in the American and English markets. 1. That of the *Spermaceti* whale ; 2. of the Greenland whale ; 3. of the Brazil whale. 1. The *Spermaceti* whale found by the Nantucketmen in the neighborhood of the western islands, to which they had gone in pursuit of other whales, retired thence to the coast of Guinea, afterwards to that of Brazil, and begins now to be best found in the lati-

tude of the Cape of Good Hope, and even of Cape Horn. He is an active, fierce animal, and requires vast address and boldness in the fisherman. The inhabitants of Brazil make little expeditions from their coast, and take some of these fish. But the Americans are the only distant people who have been in the habit of seeking and attacking them in numbers. The British however led by the Nantuckois, whom they have decoyed into their service, have begun this fishery. In 1785, they had 18 ships in it, in 1787, 38, in 1788, 54, or as some say 64, I have calculated on the middle number, 59, still they take but a very small proportion of their own demand. We furnish the rest. Theirs is the only market to which we carry that oil, because it is the only one where its properties are known. It is luminous, resists coagulation by cold to the 41st degree of Fahrenheit's thermometer, and 4th of Reaumur's, and yields no smell at all. It is used therefore, within doors to lighten shops, and even in the richest houses, for anti-chambers, stairs, galleries, &c. It sells at the London market for treble the price of common whale oil. This enables the adventurer to pay the duty of 18£ 5s. sterling the ton, and still to have a living profit. Besides the mass of oil produced from the whole body of the whale, his head yields three or four barrels of what is called head matter, from which is made the solid spermaceti used for medicine and candles. This sells by the pound at double the price of the oil. The disadvantage of this fishery is that the sailors are from nine to twelve months absent on the voyage, of course they are not at hand on any sudden emergency, and are even liable to be taken, before they know that a war is begun. It must be added on the subject of this

whale, that he is rare and shy, soon abandoning the grounds where he is hunted. This fishery being less losing than the other, and often profitable, will occasion it to be so thronged soon, as to bring it on a level with the other. It will then require the same expensive support or to be abandoned.

2. The Greenland whale oil is the next in quality. It resists coagulation by cold to 36 degrees of Fahrenheit, and two of Reaumur; but it has a smell insupportable within doors, and is not luminous. It sells, therefore, in London at £16 the ton. This whale is clumsy and timid he dives when struck, and comes up to breathe by the first cake of ice, where the fishermen need little address or courage to take him. This is the fishery mostly frequented by European nations; it is this fish which yields the fin in quantity, and the voyages last about three or four months.

3. The third quality is that of the small Brazil whale. He was originally found on the coast of Nantucket, and first led that people to this pursuit. He retired first to the banks of Newfoundland, then to the western Islands, and is now found within soundings on the coast of Brazil, during the months of December, January, February and March. This oil chills at fifty degrees of Fahrenheit and eight degrees of Reaumur, is black and offensive, worth, therefore, but 13 $\frac{1}{2}$ the ton in London. In warm summer nights, however, it burns better than the Greenland oil.

The qualities of the oils thus described, it is to be added that an individual has discovered methods, 1. Of converting a great part of the oil of the Spermaceti whale, into a solid substance called Spermaceti, heretofore produced from his head alone. 2. Of refining the

Greenland whale oil, so as to take from it all smell, and render it limpid and luminous as that of the Spermaceti whale. 3. Of curdling the oil of the Brazil whale into tallow, resembling that of the beef, and answering all its purposes. This person is engaged by the company which has established the refinery at Rouen; their works will cost them half a million of livres, will be able to refine all the oil which can be used in the kingdom, and to supply foreign markets. The effect of this refinery then, would be, 1. To supplant the solid spermaceti of all other nations by theirs of equal quality and lower price. 2. To substitute, instead of spermaceti oil, their black whale oil, refined, of equal quality and lower price. 3. To render the worthless oil of the Brazil whale equal in value to tallow; and 4. By accommodating these oils to uses, to which they could never otherwise have been applied, they will extend the demand beyond its present narrow limits to any supply which can be furnished, and thus give the more effectual encouragement and extension to the whale fishery. But these works were calculated on the *arrêt* of Dec. 29, which admitted here, freely and fully, the produce of the American fishery. If confined to that of the French fishery alone, the enterprise may fail for want of matter to work on.

After this review of the whale fishery, as a political institution, a few considerations shall be added on its produce as a basis of commercial exchange between France and the United States. The discussions it has undergone on former occasions in this point of view, leaves little new to be now urged.

The United States not possessing mines of the precious metals, they can purchase necessities from other

nations, so far only as their produce is received in exchange. Without enumerating our smaller articles, we have three of principal importance, proper for the French market, to wit, tobacco, whale oil and rice. The first and most important is tobacco. This might furnish an exchange for eight millions of the productions of this country; but it is under a monopoly, and that not of a mercantile, but a financiering company, whose interest is to pay in money, and not in merchandize; and who are so much governed by the spirit of simplifying their purchases and proceedings, that they find means to elude every endeavor on the part of government to make them diffuse their purchases among the merchants in general. Little profit is derived from this then, as an article of exchange for the produce and manufactures of France. Whale oil might be next in importance; but that is now prohibited. American rice is not yet of great, but it is of growing consumption, in France, and, being the only article of the three which is free, it may become a principal basis of exchange. Time and trial may add a fourth, that is, timber. But some essays, rendered unsuccessful by unfortunate circumstances, place that, at present, under a discredit, which it will be found hereafter, not to have merited. The English know its value, and were supplied with it before the war. A spirit of hostility, since that event, led them to seek Russian rather than American supplies. A new spirit of hostility has driven them back from Russia, and they are now making contracts for American timber. But, of the three articles before mentioned, proved by experience to be suitable for the French market, one is prohibited, one under monopoly, and one alone free, and that the small-

est, and of very limited consumption. The way to encourage purchasers, is to multiply their means of payment. Whale oil might be an important one. In one scale is the interest of the millions who are lighted, shod or clothed with the help of it, and the thousands of laborers and manufacturers, who would be employed in producing the articles which might be given in exchange for it, if received from America. In the other scale are the interests of the adventurers in the whale fishery; each of whom, indeed, politically considered, may be of more importance to the State, than a simple laborer or manufacturer; but to make the estimate with the accuracy it merits, we should multiply the numbers in each scale into their individual importance, and see which preponderates. Both governments have seen with concern, that their commercial intercourse does not grow as rapidly as they would wish. The system of the United States is, to use neither prohibitions nor premiums; commerce there regulates itself freely, and asks nothing better. Where a government finds itself under the necessity of undertaking that regulation, it would seem that it should conduct it as an intelligent merchant would; that is to say, invite customers to purchase, by facilitating their means of payment, and by adapting goods to their taste. If this idea be just, government here has two operations to attend to, with respect to the commerce of the United States.

1. To do away, or to moderate, as much as possible, the prohibitions and monopolies of their material for payment.

2. To encourage the institution of the principal manufactures, which the necessities or the habits of their new

customers call for. Under this latter head, a hint shall be suggested, which must find its apology in the motive from which it flows; that is, a desire of promoting mutual interests and close friendship. Six hundred thousand of the laboring poor of America, comprehending slaves under that denomination, are clothed in three of the simplest manufactures possible, to wit: osnabrigs, plains and duffel blankets. The first is a linen, the two last woollens. It happens too, that they are used exactly by those who cultivate the tobacco and rice, and in a good degree by those employed in the whale fishery. To these manufactures they are so habituated, that no substitute will be received. If the vessels which bring tobacco, rice and whale oil, do not find them in the ports of delivery, they must be sought where they can be found. That is in England at present. If they were made in France, they would be gladly taken in exchange there. The quantities annually used by this description of people, and their value are as follows:

Osnabrigs, 2,700,000 aunes, a 16 sous the	
aune, worth	<i>Liv.</i> 2,160,000
Plains, 1,350,000 aunes, a 2 livres the aune,	2,700,000
Duffel blankets, 300,000, a 7 livres 4 sous	
each,	2,160,000
	7,020,000

It would be difficult to say how much should be added for the consumption of inhabitants of other descriptions, a great deal surely. But the present view shall be confined to the one description named, seven millions of livres are nine millions of days work of those who raise, card, spin and weave the wool and flax; and at 300

working days to the year, would maintain 30,000 people. To introduce these simple manufactures, suppose government to give 5 per cent. on the value of what should be exported of them for 10 years to come. If none should be exported, nothing would be to be paid; but on the other hand, if the manufactures should rise to the full demand, it will be a sacrifice of 351,000 livres a year for ten years only, to produce a perpetual subsistence for more than 30,000 people, (for the demand will grow with our population,) while she must expend perpetually 1,285,000 livres a year, to maintain the 3,570 seamen, who would supply her with whale oil; that is to say for each seamen as much as for thirty laborers and manufacturers. But to return to our subject and to conclude.

Whether then we consider the *arrêt* of September 28, in a political or a commercial light, it would seem that the United States should be excepted from its operation. Still more so when they invoke against it the amity subsisting between the two nations, the desire of binding them together by every possible interest and connexion, the several acts in favor of this exception, the dignity of legislation, which admits not of changes, backwards and forwards, the interests of commerce which require steady regulations, the assurances of the friendly motives which have led the King to pass these acts, and the hope that no cause will arise, to change either his motives or his measures towards us.

FROM THOMAS JEFFERSON TO JOHN JAY.

Paris, November 29, 1788.

Sir,

In the hurry of making up my letter of the 19th instant, I omitted to enclose the printed paper on the subject of whale oil. That omission is now supplied by another conveyance by the way of London. The explanatory *arrêt* is not yet come out. I still take for granted it will pass, though there be an opposition to it in the Council. In the meantime, orders are given to receive our oils, which may arrive. The apprehension of a want of corn, has induced them to turn their eyes to foreign supplies, and to shew their preference of receiving them from us, they have passed the enclosed *arrêt*, giving a premium on wheat and flour from the United States, for a limited time. This, you will, doubtless, think proper to have translated and published. The Notables are still in session. The votes of the separate Bureaux have not yet been reduced to a joint act in the assembly of the whole. I see no reason to suppose they will change the separate votes relative to the representation of the *tiers état* in the States General. In the meantime, the stream of public indignation, heretofore directed against the Court, sets strongly against the Notables. It is not yet decided when the States will meet, but certainly, they cannot till February or March. The Turks have retired across the Danube. This indicates their going into winter quarters, and the severity of the weather must hasten it. The thermometer was, yesterday, at eight degrees of Fahrenheit, that is, twenty-four degrees below freezing. This having con-

tinued many days, and still likely to continue, and the wind from north-east, renders it probable that all enterprise must be suspended between the three great belligerent powers. Poland is likely to be thrown into great convulsions. The Empress of Russia has peremptorily demanded such aids from Poland as might engage it in the war. The King of Prussia, on the other hand, threatens to march an army on their borders. The vote of the Polish confederacy for one hundred thousand men, was a coalition of the two parties in that single act only. The party opposed to the King has obtained a majority, and have voted that this army shall be independent of him. They are supported by Prussia, while the King depends on Russia. Authentic information from England, leaves not a doubt that the King is lunatic, and that that, instead of the effect, is the cause of the illness under which he has been so near dying. I mention this, because the English newspapers, speaking by guess on that, as they do on all other subjects, might mislead you as to his true situation ; or rather, might mislead others who know less than you do, that a thing is not rendered the more probable by being mentioned in those papers.

I enclose those of Leyden to the present date, with the Gazettes of France.

I have the honor to be, &c.

TH: JEFFERSON.

Arrêt of the King's Council of State, to encourage, by bounties, the importation of wheat and flour coming from the United States of America.

Translation.

November 23, 1788.

Extract from the Registers of the Council of State.

The King, unwilling to neglect any means that may encourage, during this year, the importation of foreign grain, has judged it proper to grant bounties to those who shall import into his kingdom, wheat and flour coming from the United States of America. To provide for which the report being heard, the King, in his Council, has ordained, and does ordain, as follows :

ARTICLE I. There shall be paid to all French or foreign merchants, who, from the 15th of February next to the 30th of June following, shall import into France, wheat and wheat flour, coming from the United States of America, a bounty of thirty sous for every quintal of flour. The said bounties shall be paid by the receivers of the Farm duties in the ports of the kingdom where the said grain and flour shall arrive, on the declarations furnished by the captains of the vessels, who shall be bound to annex thereto, a legal copy of the bill of lading and the certificate of the magistrates of the place, where the lading shall have been made.

ARTICLE II. All vessels, without distinction, which, during the space of time abovementioned, shall import into the kingdom, wheat and flour from the said United States of America, shall be exempted from the freight duty on account of the said importations. His Majesty enjoins the intendants and commissaries throughout the

provinces, and all others charged with the execution of his orders, to carry into execution the present *arrêt*, which shall be printed, published and posted wherever it may be necessary.

Done in the King's Council of State, his Majesty being present, held at Versailles, the 23rd November, 1788.

LAURENT DE VILLEDEUIL.



Arrêt of the King's Council of State respecting the commerce of grain.

Translation.

November 23, 1788.

Extract from the Registers of the Council of State.—
The King having been informed of the price of grain, and of the different circumstances which have raised the value, has learned with pain, that the crops have not yielded the customary supply, and that the cultivators have been in general much disappointed in their expectations. It is moreover generally known that a disastrous hail storm has ravaged a great part of his dominions, and many other unfortunate events have conspired to diminish the crops, in numberless parts of the provinces of his kingdom. His Majesty nevertheless is informed that no scarcity is to be feared, but there may not perhaps be a surplus quantity, necessary to keep the price within reasonable limits. It is not in his Majesty's power to control the laws of nature, but attentive to all who are under his care and protection, he at first, strictly prohibited the exportation of grain, and at the same time

maintained the most perfect liberty in the interior circulation, in order that all the provinces of his kingdom might mutually contribute to the relief of each other; his Majesty in consequence of his paternal anxiety, and the complaints which have been addressed to him, thinks it adviseable at this time, to put a stop to a kind of speculation by no means of service to the proprietors, and which is of essential detriment to the consumers, that is, the purchases and forestallings undertaken only with a view of profiting by an increase of price, and which consequently inspires the dangerous desire of seeing the prices further enhanced. Such speculations which are beneficial in abundant years, excite alarm, and may have unhappy consequences, while the price of subsistence is already so high. His Majesty unwilling, however, to authorize any examinations, which it is so easy to abuse, has thought proper to content himself with re-establishing for this year, the ancient obligation of not selling or purchasing but in the markets, that the officers of the police may be enabled to observe the conduct of those, who give themselves up to so dishonest a traffic. He has at the same time, thought proper to renew the ancient ordinances prohibiting from all kind of commerce in grain, those persons who are charged with the care of the police and good order, and in extending the prohibition to all such as have the management of the royal moneys, and as are in any manner attached to the administration. He at the same time, promises the most particular protection to the merchants who may import into France, wheat purchased in foreign countries, or who employ themselves in carrying grain from one province to another, and by this means equalize among his subjects

the resources and means of subsistence. His Majesty cannot warrant, notwithstanding these precautions, and all those which he will take by means of administration, to encourage the importation of foreign wheat into the kingdom, that the price of this commodity may not be constantly dear this year ; but notwithstanding the painful situation of his finances, he will grant more considerable relief than at other times to the most indigent part of his people, and he will not cease to do every thing; that can be reasonably expected from his beneficence and his resources. For which being willing to provide ; having heard the report, the King being present in his Council, has ordained and does ordain as follows :

ARTICLE I. His Majesty wills and ordains, that under the penalties established by the ancient regulations, grain and flour shall not be sold nor bought in any other place than in the halls, markets, or in the ordinary ports of the cities, towns and places, of the kingdom, as have been established for the purpose.

ARTICLE II. His Majesty prohibits the merchants, and all other persons of whatsoever quality or condition they may be, from going out to meet those who shall bring grain to market, either to give them earnest or to make any private bargain with them.

ARTICLE III. His Majesty prohibits the officers of justice and police, all weighers and measurers, and other persons employed in the service of the markets, as well as the Farmers and receivers of his dues, clerks of his receipts, cashiers and other persons employed in the collection of his revenue, or attached in any other manner to the administration of his finances, from intermeddling, either directly or indirectly, in the commerce of grain.

ARTICLE VI. His Majesty expressly wills, that no impediment should be made to the free transportation of grain, throughout his kingdom, and orders the Judges of police, and the officers of the *Maréchaussée*, to aid the execution of his orders.

ARTICLE V. The dispositions of the present rule shall have force but for one year. His Majesty reserving the renewal at the expiration of that term, if circumstances require.

ARTICLE VI. His Majesty confirms, as far as may be necessary, the ancient regulations, which order that the inhabitants of those places where grain is exposed to sale, to provide themselves, in preference to the merchants, with the quantity necessary for their consumption.

ARTICLE VII. His Majesty does not intend to make any innovation in the regulations of the police, hitherto pursued for supplying the city of Paris with provisions, which shall continue to be observed as heretofore.

ARTICLE VIII. His Majesty paternally exhorts the proprietors and Farmers to concur in his wise and beneficent designs, and to supply, by sufficiently providing the markets, the manner which he conceives not proper to prescribe at present; and all letters patent, if necessary, shall be made out under the present *arrêt*.

Done in the King's Council of State, his Majesty being present, held at Versailles, the 22rd November, 1788.

LAURENT DE VILLEDEUIL.

FROM JOHN JAY TO THOMAS JEFFERSON.

Office for Foreign Affairs,
March 9, 1789. }

Dear Sir,

Since the 13th day of September, nine States have not been represented in Congress, and since the 10th day of October last, a sufficient number for ordinary business have not convened; no progress, therefore, could be made in the affairs of this department, and that will continue to be the case until the government shall be organized. Many members of the new Congress are now here, but not a sufficient number of both houses to form quorums. There is, nevertheless, reason to expect that both houses will be in capacity next week, to open the ballots for President and Vice President. It is generally supposed, and indeed known, that General Washington is chosen for the first, and Mr. Adams for the second.

I have been favored with your letters of 20th August. 3rd, 5th, and 24th September, (extracts from the two last of which, relative to our captives at Algiers, and foreign officers have been communicated to the Board of Treasury,) and 14th, 19th and 29th November, 1788. The alterations in the Consular Convention give satisfaction, the papers relative to it have been perused by several members of Congress. Your conduct is greatly and deservedly commended.

The reasons assigned for your wishing to make a short visit to America, are in my opinion, sufficient to justify you in asking for leave, and Congress in granting it; but my dear sir, there is no Congress sitting, nor have any

of their servants authority to interfere. As soon as the President shall be in office, I will, without delay, communicate your letters to him, and give the business all the despatch in my power. To this, I shall be prompted not only by official duty, but by that personal esteem and regard with which, I am. &c.

JOHN JAY.

FROM THOMAS JEFFERSON TO JOHN ADAMS.

Paris, December 5, 1788.

Dear Sir,

I had the honor of writing to you on the 2nd of August, and of adding a postscript of August the 6th.

* * * * *

You recollect well the *arrêt* of December the 29th, in favor of our commerce, and which among other things gave a free admission to our whale oil, under a duty of about two louis a ton. In consequence of the English treaty, their oils flowed in, and overstocked the market. The light duty they were liable to under the treaty, still lessened by false estimates, and aided by the premiums of the British Government, enabled them to undersell the French and American oils. This produced an outcry of the Dunkirk fishery. It was proposed to exclude all European oils, which would not infringe the British treaty. I could not but encourage this idea, because it would give to the French and American fisheries, a monopoly of the French market. The *arrêt* was drawn up; but in the very moment of passing it, they struck out the word *European*, so that our oils became involved.

This, I believe was the effect of a single person in the Ministry. As soon as it was known to me, I wrote to Monsieur de Montmorin, and had conferences with him and the other Ministers. I found it necessary to give them information on the subject of the whale fishery, of which they knew little, but from the partial information of their Dunkirk adventurers. I therefore wrote the observations, (of which I enclose you a printed copy,) had them printed to entice them to read them, and particularly developed the expense, at which they are carrying on that fishery, and at which they must continue it, if they do continue it. This part was more particularly intended for M. Necker, who was quite a stranger to the subject, who has principles of economy, and will enter into calculations, other subjects are incidentally introduced; though little connected with the main question, they had been called for by other circumstances. An immediate order was given for the present admission of our oils, till they could form an *arrêt*, and at a conference, the draught of an *arrêt*, was communicated to me, which re-established that of December the 29th. They expressed fears, that under cover of our name, the Nova Scotia oils would be introduced; and a blank was left in the draught for the means of preventing that. They have since proposed that the certificate of their Consul shall accompany the oils to authorize their admission; and this is what they will probably adopt. It was observed, that if our States, would prohibit all foreign oils from being imported into them, it would be a great safe guard, and an encouragement to them to continue the admission. Still there remains an expression in the *arrêt* that it is provisory only. However we must be contented with it, as it is; my hope being, that the legislature will

be transferred to the National Assembly, in whose hands it will be more stable, and with whom it will be more difficult to obtain a repeal, should the Ministry hereafter desire it. If they could succeed in drawing over as many of our Nantucket men as would supply their demand of oils, we might then fear an exclusion, but the present *arrêt*, as soon as it shall be passed, will, I hope, place us in safety till that event, and that event may never happen. I have entered into all these details, that you may be enabled to quiet the alarm, which must have been raised by the *arrêt* of September the 24th, and assure the adventurers that they may pursue their enterprises as safely, as if that had never been passed, and more profitably, because we participate now of a monopolized instead of an open market. The enclosed observations, though printed, have only been given to the Ministers, and one or two other confidential persons. You will see that they contain matter which should be kept from the English, and will therefore trust them to the perusal only of such persons as you can confide in. We are greatly indebted to the Marquis de la Fayette for his aid on this as on every other occasion. He has paid the closest attention to it, and combatted for us with the zeal of a native.

The necessity of reconducting my family to America, and of placing my affairs there under permanent arrangements, has obliged me to ask of Congress a six months absence, to wit, from April to November next. I hope therefore to have the pleasure of seeing you there, and particularly that it will be at New York, that I shall find you. Be so good as to present my sincere esteem to Mrs. Adams, and believe me, &c.

TH: JEFFERSON.

FROM THOMAS JEFFERSON TO JOHN JAY.

Paris, January 11, 1789.

Sir,

My last letters have been of the 14th, 19th and 29th of November, by the way of London, the present will go the same way, through a private channel. All military operations in Europe seem to have been stopped by the excessive severity of the weather. In this country it is unparalleled in so early a part of the winter, and in duration, having continued since the middle of November, during which time it has been as low as nine degrees below nought, that is to say, forty-one degrees below freezing, by Fahrenheit's thermometer, and has increased the difficulties of the administration here; they had before to struggle with the want of money, and want of bread for the people, and now the want of fuel for them, and want of employment. The siege of Oczakow is still continued, the soldiers sheltering themselves in the Russian manner, in subterraneous barracks, and the Captain Pacha has retired with his fleet. The death of the King of Spain has contributed, with the insanity of the English King, to render problematical the form which the affairs of Europe will ultimately take. Some think a peace possible between the Turks and the two Empires, with the cession of the Crimea to the former, as less important to Russia than Poland, which she is in danger of losing. In this case, the two Empires might attack the King of Prussia, and the scene of war be only changed, he is certainly uneasy at the accident happened to his principal ally. There seems no doubt, but that the Prince of Wales will be sole regent; but it is also

supposed, they will not give him the whole executive powers, and particularly, that of declaring war without the consent of the Parliament. Should his personal dispositions, therefore, and that of a new Ministry be the same which the King had, of co-operating with Prussia, yet the latter cannot count on their effect, probably, the Parliament will not consent to war, so that I think we may consider the two great powers of France and England, as absolutely at rest for some time. As the character of the Prince of Wales is becoming interesting, I have endeavored to learn what it truly is, this is less difficult in his case than in that of other persons of his rank, because he has taken no pains to hide himself from the world. The information I most rely on, is from a person here, with whom I am intimate, who divides his time between Paris and London, an Englishman by birth, of truth, sagacity and science. He is of a circle when in London, which has had good opportunities of knowing the Prince; but he has also, himself, had special occasions of verifying their information by his own personal observation. He happened, when last in London, to be invited to a dinner of three persons. The Prince came by chance, and made the fourth. He eat half a leg of mutton, did not taste of small dishes, because small, drank Champagne and Burgundy as small beer during dinner, and Bourdeaux after dinner, as the rest of the company. Upon the whole, he eat as much as the other three, and drank about two bottles of wine, without seeming to feel it. My informant sat next him, and being till then, unknown to the Prince personally, (though not by character,) and lately from France, the Prince confined his conversation almost

entirely to him. Observing to the Prince that he spoke French without the least foreign accent, the Prince told him that when very young, his father had put only French servants about him, and that it was to that circumstance he owed his pronunciation. He led him from this to give an account of his education, the total of which was the learning a little Latin. He has not a single element of mathematics, of natural or moral philosophy, or of any other science on earth; nor has the society he has kept been such as to supply the void of education. It has been that of the lowest, the most illiterate and profligate persons of the kingdom, without choice of rank or merit, and with whom the subjects of conversation are only horses, drinking-matches, bawdy-houses, and in terms the most vulgar. The young nobility who begin by associating with him, soon leave him, disgusted with the insupportable profligacy of his society, and Mr. Fox, who has been supposed his favorite, and not over nice in the choice of company, would never keep his company habitually. In fact, he never associated with a man of sense. He has not a single idea of justice, morality, religion, or of the rights of man, nor any anxiety for the opinion of the world. He carries that indifference of fame so far, that he would probably not be hurt were he to lose his throne, provided he could be assured of having always, meat, drink, horses and women. In the article of women, nevertheless, he is become more correct since his connexion with Mrs. Fitzherbert, who is an honest and worthy woman; he is even less scrupulous than he was. He had a fine person, but it is becoming coarse. He possesses good native common sense; is affable, polite and very good humored, saying to my

informant, on another occasion, "Your friend such a one, dined with me yesterday, and I made him damned drunk"—he replied, "I am sorry for it; I had heard that your royal highness had left off drinking." The Prince laughed, tapped him on the shoulder very good naturedly, without saying a word, or ever after shewing any displeasure. The Duke of York, who was for sometime cried up as the prodigy of the family, is as profligate, and of less understanding. To these particular traits, from a man of sense and truth, it would be superfluous to add the general terms of praise or blame, in which he is spoken of by other persons, in whose impartiality and penetration I have less confidence. A sample is better than a description. For the peace of Europe, it is best that the King should give such gleamings of recovery, as would prevent the regent or his Ministry from thinking themselves firm, and yet that he should not recover. This country advances with a steady pace towards the establishment of a constitution whereby the people will resume the greatness of those powers so fatally lodged in the hands of the King. During the session of the Notables, and after their votes against the rights of the people, the Parliament of Paris took up the subject and passed a vote in opposition to theirs, (which I send you) this was not their genuine sentiment. It was a manœuvre of the young members, who are truly well disposed, taking advantage of the accidental absence of many old members, and bringing others over by the clause which, while it admits the negative of the States General in legislation, reserves still to the Parliament, the right of enregistering, that is to say another negative. The Notables persevered in their opinion. The Princes of the blood,

(Monsieur and the Duke d'Orleans excepted,) presented and published a memoir, threatening scission. The Parliament were proposing to approve of that Memoir (by way of rescinding their former vote,) and were prevented from it by the threat of a young member to impeach (*denoncer*) the memoir and the princes, who have signed it. The vote of the Notables, therefore, remaining balanced by that of the Parliament, the voice of the nation becoming loud and general for the rights of the *tiers état*, a strong probability, that if they were not allowed one half the representation, they would send up their members with express instructions to agree to no tax, to no adoption of the public debts, and the Court really wishing to give them a moiety of the representation: this was decided on ultimately. You are not to suppose that these dispositions of the Court proceed from any love of the people, or justice towards their rights. Courts love the people always as wolves do the sheep, the fact is this, the Court wants money: from the *tiers état* they cannot get it, because they are already squeezed to the last drop. The clergy and the nobles, by their privileges and influence have hitherto screened their property in a great degree, from public contribution. That half of the orange then remains yet to be squeezed, and for this operation there is no agent powerful enough, but the people. They are therefore brought forward as the favorites of the Court, and will be supported by them. The moment of crisis will be the meeting of the States; because their first act will be to decide, whether they shall vote by persons or by orders. The clergy will leave nothing unattempted to obtain the latter; for they see that the spirit of reformation will not confine itself to the politi-

cal, but will extend to the ecclesiastical establishment also; with respect to the nobles, the younger members are generally for the people, and the middle aged are daily coming over to the same side; so that by the time the States meet, we may hope there will be a majority of that body also, in favor of the people, and consequently for voting by persons and not orders.

You will perceive by the report of M. Necker, (in the gazette of France,) 1st. a renewal of the renunciation of the power of imposing a new tax by the King, and a like renunciation of the power to continue any old one: 2nd. an acknowledgment that the States are to appropriate the public moneys, which will go to the binding the Court to a civil list: 3rd. a consent to the periodical meeting of the States: 4th. to consider of the restrictions of which *lettres de cachet*, are susceptible: 5th. the degree of liberty to be given to the press: 6th. a bill of rights: and 7th. there is a passage, which looks towards the responsibility of Ministers. Nothing is said of communicating to them a share in the legislation. The Ministry, perhaps, may be unwilling to part with this, but it will be insisted on in the States. The letters of convocation will not appear till towards the latter end of the month; neither time nor place are yet declared, but Versailles is talked of, and we may well presume that some time in April may be fixed on. In the meantime M. Necker gets money to keep the machine in motion. Their funds rose slowly but steadily till within these few days that there was a small check. However, they stand very well and will rise. The *caisse d'escompte* lent the Government twenty five millions two days ago. The navy of this country sustained a heavy loss lately by the

death of the Bailli de Suffrein. He was appointed Generalissimo of the Atlantic, when war was hourly expected with England, and is certainly the officer on whom the nation would have reposed its principal hopes in such a case. We just now hear of the death of the Speaker of the House of Commons before the nomination of a Regent ; which adds a new embarrassment to the re-establishment of Government in England.

Since writing mine of November 29th, yours of the 23rd of September came to hand. As the General of the Mathurins was to be employed in the final redemption of our captives, I thought that their previous support had better be put into his hands, and conducted by himself in such a way as not to counterwork his plan of redemption, whenever we can enable him to begin on it. I gave him full powers as to the amount and manner of subsisting them. He has undertaken it, informing me at the same time, that it will be on a very low scale, to avoid suspicion of its coming from the public. He spoke of but three sous a day per man, as being sufficient for their physical necessities, more than which he thinks it not advisable to give. I have no definitive answer yet from our bankers, whether we may count on the whole million last agreed to be borrowed, but I have no doubt of it, from other information, though I have not their formal affirmative. The gazettes of Leyden and France to this date, accompany this.

I have the honor to be, &c.

TH: JEFFERSON.

FROM THOMAS JEFFERSON TO JOHN JAY.

Paris, January 14, 1789.

Sir,

In my letter of the 11th, I have said nothing of the *arrêt* explanatory of that of September 28th, on the subject of whale oils, which my letter of November 19th gave you reason to expect; though this explanatory *arrêt* has been passed so long ago as the 7th of December, it had not been possible for me to obtain an authentic copy of it till last night. I now enclose that to you, with a copy of a letter to me, from Mr. Necker, on the subject. The reception of our oils in the meantime, is provided for by an intermediate order. You will observe, that in the *arrêt* it is said to be passed "*provisoirement*," and that Mr. Necker expressly holds up to us, in his letter, a repeal whenever the national fishery supplies their wants. The *arrêt*, however, is not limited in its duration, and we have several chances against its repeal. It may be questioned whether Mr. Necker thinks the fishery worth the expense. It may be well questioned, whether with or without encouragement, the nation whose navigation is least economical of all in Europe, can ever succeed in the whale fishery, which calls for the most rigorous economy. It is hoped that a share in the legislation will pass immediately into the hands of the States General, so as to be no longer in the power of the *commis* of a bureau, or even of his Minister, to smuggle a law through unquestioned; and we may even hope that the national demand for this oil will increase faster, than both their and our fisheries together will supply. But in spite of all these hopes, if the English

should find means to cover their oils under our name, there will be great danger of a repeal. It is essential then, that our Government take effectual measures to prevent the English from obtaining genuine sea-papers, and that they enable their Consuls in the ports of France (as soon as they shall be named) to detect counterfeit papers, and that we convince this Government that we use our best endeavors with good faith, as it is clearly our interest to do; for the rivalry of the English is the only one we have to fear. It had already begun to render our oils invendible in the ports of France. You will observe that Mr. Necker renews the promise, of taking off the *ten sous pour livre* at the end of the next year.

Oczakow is at length taken, by assault. The assailants were fourteen thousand, and the garrison twelve thousand, of whom seven thousand were cut to pieces before they surrendered. The Russians lost three thousand men. This is the Russian version, of which it is safe to believe no part, but that Oczakow is taken. The Speaker of the English House of Commons having died suddenly, they have chosen Mr. Grenville, a young man of twenty-seven years of age. This proves that Mr. Pitt is firm with the present Parliament.

I have the honor to be, &c.

TH: JEFFERSON.

FROM M. NECKER TO THOMAS JEFFERSON.

Translation.

Versailles, January 11, 1789.

Sir,

I have the honor to send you a copy of the *arrêt* which has just been returned to the Council to explain the one of the 28th of September last, to except from the prohibitions therein contained whale bone, whale oil, spermaceti, and fish oil arising from the fisheries of the United States of America, and imported into France in vessels belonging to the subjects of the United States or France. These articles will continue to be entered, as heretofore, agreeably to the dispositions of the *arrêt* of the 29th December last, that is to say, subject to the duty of £7 10s. per barrel of oil weighing 520lb., and £6 13s. 4d. per quintal of whale bone and 10 sols per livre (over and above both duties,) which shall cease on the last of December, 1790. His Majesty is always disposed to favor as far as possible, the commerce of the United States, but he is bound to give a preference to the national commerce, and it would be contrary to the spirit of justice which inspires him, were he to allow the importation of foreign oils, whenever the national fishery shall be adequate to the supply of the kingdom. For this reason therefore his Majesty's wisdom could only permit a provisional importation of American oil and whale bone, until the national fishery is capable of supplying the wants of France. But the United States are sufficiently acquainted with the equity which regulates all his Majesty's inclinations, to be persuaded that when the national oils shall be sufficient for the consumption of

the Kingdom, the American oil and whale bone, which shall be found embarked at the time of that revocation, shall be admitted into France, until it shall be known in America, and he has charged me to acquaint you with it.

I make no doubt but that the United States of America will consider this decision of his Majesty, as a fresh proof of his desire to keep up the most intimate connexion between the two nations, and to give proofs thereof; and on their part, he expects they will add to the precautions prescribed by this *arrêt* such as may be in their power, to prevent the fraudulent importation of foreign oil and whale bone, under the name of American.

I have the honor to be, &c.

NECKER.

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Translation.

Arrêt of the King's Council of State, excepting whale and other fish oils, and also whale bone, the product of the fisheries of the United States of America, from the prohibition contained in the arrêt of the 28th September last.

December 7, 1788.

Extract from the Registers of the Council of State.

The King having taken information on the *arrêt* pronounced in his Council, the 28th December last, prohibiting the importation of whale oil and spermaceti, the produce of foreign fisheries into the kingdom, observing that oil made from sea-calves and other fish and sea animals, not being comprehended in the said *arrêt*, a fraudulent importation of whale oil might take place under the name of the aforesaid oils, and that on the other hand, it might be inferred from the tenor of the said *arrêt*, that

oils, the produce of the fisheries of the United States, were prohibited; and his Majesty wishing to remove every doubt on this head—to provide, therefore, for the same, having heard the report of the Sieur Lambert, Counsellor of State in ordinary, and of the Council of Despatches, and Royal Council of Finances and Commerce; the King being present in his Council, has ordained, and does ordain, that, reckoning from the 1st day of April next, oil made from sea calves, and from fish and other sea animals produced from foreign fisheries, as well as whale bone produced in like manner from the said foreign fisheries, shall be prohibited from importation into the kingdom, without permitting the said prohibition, nevertheless, to extend either to the said kinds of oils, or to the said whale oils and spermaceti, or the whalebone produced from the fisheries of the United States of America, and imported directly into France, in French vessels, or those belonging to the subjects of the said United States, which shall continue to be provisionally admitted agreeably to the 1st and 3rd articles of the *arrêt* of the 29th of December last; on condition, however, that the captains of the said vessels belonging to the United States bring with them certificates, from the Consuls of France residing in the ports of the said United States, or where these cannot be obtained, from the magistrates of the places where the embarkation of the said oil shall be made, for the purpose of proving that the cargo of the said vessels is the produce of the fisheries, carried on by the citizens of the United States; which certificates shall be presented, to the officers of the Admiralty, also to the Commissioners of the Farms in the ports of France where it shall be landed, to be mentioned in the report of their arrival. His Majesty commands

and orders the Duke de Penthièvre, Admiral of France, the Intendants and commissaries throughout the provinces, commissaries appointed to observe the ordinances of the Admiralty, masters of ports, Judges of treaties, and all others whom it may concern, to assist in the execution of the present *arrêt*, which shall be registered in the offices of the said Admiralties, read, published and posted, wherever it may appear necessary.

Done in the King's Council of State, his Majesty being present, held at Versailles, the 7th of December, 1788.

LA LUZERNE.

The Duke de Penthièvre, Admiral of France, having seen the above *arrêt* of the King's Council of State and the other parts addressed to us, we command all those over whom our power extends, to execute it and cause it to be executed, each as his duty is, agreeably to its form and tenor. We order the officers of the admiralties to register it in the office of their jurisdictions, to read, publish and post it wherever it may be necessary.

Done at Vernon, the 20th of December, 1788.

L. J. M. DE BOURBON.

And beneath, by his Most Serene Highness.

PERIER.

FROM THOMAS JEFFERSON TO JOHN JAY.

Paris, January 21, 1788.

Sir,

Having had the honor of addressing you so lately as the 11th and 14th instant, I should not so soon have troubled you again, but that since the departure of those

letters, I have received one from the Count de la Luzerne, of which, I now send a copy, together with another copy of the *arrêt* of December 7th, lest the former should be longer getting to you. You will perceive that the Ministry press for our concurrence, in endeavoring to prevent the English from running in their oils under our cover. Whatever regulations may be thought of by us, it will be advisable to consult their Minister, and their Consuls even, if practicable, and to adopt with complaisance, what they may prefer, so far as our policy will admit. The Ministry here will judge of the efficacy of our measures, from the representations of their Minister principally, and of their Consuls.

Nothing new having taken place since my last, I have only to add assurances of the sentiments of esteem and respect, with which I have the honor to be, &c.

TH: JEFFERSON.

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Maritime Commerce and Fisheries.

FROM THE COUNT DE LA LUZERNE TO THOMAS JEFFERSON.

Translation.

Versailles, June 18, 1789.

Sir,

I have the honor to send you copies of the *arrêt* of the Council delivered the 7th December last, which excepts oil and whale bone, arising from the fishery of subjects belonging to the United States, from the general prohibitions mentioned in the *arrêt* of the *7th of December preceding. This exception, which is a conse-

* Error for 28th September.

quence and proof of his Majesty's particular disposition in favor of the commerce of the United States, could not however be granted but provisionally, because it was impossible to lose sight of the motives of justice, which claim an exclusive protection over the national fishery, which obliges him to reserve for it, the entire supply of the kingdom, should it increase sufficiently for that purpose. But you must be well convinced that his Majesty will never decide on the adoption of this measure, until the necessity shall be clearly proved, when precautions will be taken to secure the American merchants and fishermen from every surprise. In the actual state of affairs, I conceive it necessary to request you to observe, that it equally interests the two nations to prevent a contraband trade in the importation of whale oil. The privilege granted to the subjects of the United States would become useless to them, as well as injurious to the French fishery, if other nations should likewise partake of this privilege by fraud, which it may be very difficult, perhaps, entirely to prevent. I make no doubt but that sufficient precautions will be taken in this respect, in the ports of the United States. I shall give orders to the Consuls residing there, to concert with the heads of administration, to determine the form of the certificates required by the *arrêt* of the 7th December, and to adopt such measures as can be effected, to assure the truth of the facts necessary to be attested. I request you, sir, to demand that the necessary aid may be granted, to prevent any surprises from such as would endeavor to carry on a contraband trade, and attempt the introduction of foreign oil under the name of American.

I have the honor to be, &c.

LA LUZERNE.

FROM THOMAS JEFFERSON TO JOHN JAY.

Paris, February 4, 1789.

Sir,

Your favor of November 25th, by Gouverneur Morris, is duly received. I must beg you to take the trouble of decyphering yourself, what follows, and to communicate it to nobody but the President, at least for the present.

We had before understood, through different channels, that the conduct of the Count de Moustier was politically and morally offensive. It was delicate for me to speak on the subject to the Count de Montmorin. The invaluable mediation of our friend, the Marquis de la Fayette, was, therefore, resorted to, and the subject explained, though not pressed. Later intelligence, shewing the necessity of pressing it, it was yesterday resumed, and represented through the same medium, to the Count de Montmorin, that recent information proved to us, that his Minister's conduct had rendered him personally odious in America, and might even influence the dispositions of the two nations; that his recall was become a matter of mutual concern; that we had understood he was instructed to remind the new Government of their debt to this country, and that he was in the purpose of doing it in very harsh terms; that this could not increase their desire of hastening payment, and might wound their affections; that, therefore, it was much to be desired that his discretion should not be trusted to, as to the form in which the demand should be made, but that the letter should be written here, and he instructed to add nothing, nor was his private conduct omitted. The Count de Montmorin was sensibly impressed. He very readily

determined, that the letter should be formed here, but said that the recall was a more difficult business ; that as they had no particular fact to allege against the Count de Moustier, they could not recall him from that Ministry, without giving him another, and there was no vacancy at present. However, he would hazard his first thoughts on the subject, saving the right of correcting them by further consideration. They were these, that there was a loose expression in one of de Moustier's letters, which might be construed into a petition for leave of absence ; that he would give him permission to return to France ; that it had been before decided, on the request of the Marquis de la Luzerne, that Otto should go with him to London ; that they would send a person to America as Chargé d'Affaires, in place of Otto, and that, if the President (General Washington) approved of him, he should be afterwards made Minister. He had cast his eye on Colonel Ternant, and desired the Marquis to consult me, whether he would be agreeable. At first I hesitated, recollecting to have heard Ternant represented in America, as an hypochondriac, discontented man, and paused for a moment between him and Bartholemy, at London, of whom I have heard a great deal of good. However, I concluded it safer to take one whom we knew and who knew us. The Marquis was decidedly of this opinion. Ternant will see that his predecessor is recalled for unconciliatory deportment, and that he will owe his own promotion to the approbation of the President. He established a solid reputation in Europe, by his conduct when Generalissimo of one of the United Provinces, during their late disturbances ; and it is generally thought that if he had been put at the head of the principal province,

instead of the Rhingrave de Salm, he would have saved that cause. Upon the whole, I believe you may expect that the Count de Moustier will have an immediate leave of absence, which will soon after become a recall in effect. I will try also, to have the Consuls admonished as to the line of conduct they should observe. I shall have the honor of writing you a general letter within a few days. I have now that of assuring you of the sentiments of sincere esteem and respect, &c.

TH: JEFFERSON.

Paris, March 14.

The operation mentioned in my letter of February 4, is going on. Montmorin has proposed to Ternant to go as *Chargé d'Affaires*. Ternant called on me a few days ago, to know whether I thought his appointment would be agreeable to us; though he is obliged to give up his regiment, which is a certainty for life, for this mission which is uncertain in its duration, he will do it. Perhaps Otto may be left awhile longer to put Ternant into the train of affairs. I suppose de Moustier will have received his leave of absence before you receive this.

March 18.

Ternant has again seen Montmorin, who told him that in the beginning of April, he would decide finally about his mission.

FROM THOMAS JEFFERSON TO JOHN JAY.

Paris, March 1, 1789.

Sir,

My last letters have been of the 11th, 14th and 21st of January. The present conveyance being through the post to Havre, from whence a vessel is to sail for New York, I avail myself of it, principally to send you the newspapers. That of Leyden of the 24th, contains a note of the *Chargé d’Affaires* of France at Warsaw, which is interesting. It shows a concert between France and Russia; it is a prognostication that Russia will interfere in the affairs of Poland, and if she does, it is more probable that the King of Prussia must be drawn into the war. The revolution which has taken place in Geneva is a remarkable and late event. With the loss of only two or three lives, and in the course of one week, riots begun at first on account of a rise in the price of bread, were improved and pointed to a reformation of their constitution, and their ancient constitution has been almost completely re-established; nor do I see any reason to doubt of the permanence of the re-establishment. The King of England has shewn such marks of returning reason, that the regency bill was postponed in the House of Lords on the 19th instant. It seems now probable there may be no change of the Ministry; perhaps no regent. We may be sure, however, that the present Ministry make the most of those favorable symptoms. There has been a riot in Brittany, begun on account of the price of bread, but converted into a quarrel between the *noblesse and tiers états*. Some few lives were lost in it. All is quieted for the present moment. In Burgundy

and Franche Compté, the opposition of the nobles to the views of the Government is very warm. Every where else, however, the revolution is going on quietly and steadily, and the public mind ripening so fast that there is great reason to hope a good result from the States General. Their numbers (about 1200) give room to fear, indeed, that they may be turbulent. Having never heard of Admiral Paul Jones since the action, in which he took a part, before Oczakow, I began to be a little uneasy ; but I have now received a letter from him, dated at St. Petersburg, the 31st of January, where he had just arrived, at the desire of the Empress. He has, hitherto, commanded on the Black Sea. He does not know whether he shall be employed there, or where, the ensuing campaign. I have no other interesting intelligence, which would not lead me into details, improper for the present mode of conveyance. After observing, therefore, that the gazettes of France and Leyden to the present date, accompany this, I shall only add assurances of the sincere esteem and respect, with which

I have the honor to be, &c.

TH : JEFFERSON.

FROM THOMAS JEFFERSON TO JOHN JAY.

Paris, March 12, 1789.

Sir,

I had the honor of addressing you on the first instant, through the post. I write the present, uncertain whether Mr. Nesbitt, the bearer of your last, will be the bearer of this, or whether it may not have to wait some other

private occasion. They have re-established their packet boats here, indeed, but they are to go from Bourdeaux, which being between four and five hundred miles from hence, is too far to send a courier with any letters but on the most extraordinary occasions, and without a courier, they must pass through the post office, I shall therefore not make use of this mode of conveyance, but prefer sending my letters by a private hand, by the way of London. The uncertainty of finding private conveyances to London, is the principal objection to this.

On the receipt of your letter advising me to purchase the two volumes of Deane's letters and accounts, I wrote to the person who had them, and after some offers and refusals he let me have them for 25 louis, instead of 120 louis asked at first. He told me that Deane had still six or eight volumes more, and that when he should return to London, he would try to get them, in order to make himself whole for the money he had lent Deane. As I knew he would endeavor to make us pay dear for them, and it appeared to be your opinion and that of the members you had consulted, that it was an object worthy attention, I wrote immediately to a friend in London, to endeavor to purchase them from Deane himself, whose distresses and crapulous habits, will probably render him more easy to deal with. I authorized him to go as far as fifty guineas, I have as yet no answer from him. I enclose you a letter which I wrote last month to our bankers in Holland. As it will itself explain the cause of its being written, I shall not repeat its substance here. In answer to my proposition to pay bills for the medals and the redemption of our captives, they quote a resolution of Congress (which however I do not find in the printed jour-

nal,) appropriating the loans of 1787 and 1788, to the payment of interest of the Dutch loans till 1790, inclusive, and the *residue* to salaries and contingencies in Europe, and they agree, that according to this, they are not to pay any thing in Europe, till they shall first have enough to pay all the interest which will become due to the end of the year 1790; and that it is out of personal regard, that they relax from this so far as to pay diplomatic salaries. So that here is a clear declaration, they will answer no other demands, till they have in hand money enough for all the interest to the end of the year 1790. It is but a twelvemonth since I have had occasion to pay attention to the proceedings of those gentlemen; but during that time, I have observed, that as soon as a sum of interest is becoming due, they are able to borrow just that, and no more; or at least only so much more, as may pay our salaries and keep us quiet. Were they not to borrow for the interest, the failure to pay that would sink the value of the capital, of which they are considerable sharers. So far, their interests and ours concur. But there, perhaps, they may separate. I think it possible, they may choose to support our credit to a certain point, and let it go no farther, but at their will; to keep it so poised, as that it may be at their mercy. By this, they will be sure to keep us in their own hands. They write word to the treasury, that in order to raise money for the February interest, they were obliged to agree with the subscribers, that Congress should open no other loan at Amsterdam this year, till this one be filled up, and that this shall not be filled but by the present subscribers, and they not obliged to fill it. This is delivering us, bound hand and foot, to the sub-

scribers, that is, to themselves. Finding that they would not raise money for any other purposes, without being pushed, I wrote the letter I enclose you. They answer, as I have stated, by refusing to pay, alleging the appropriation of Congress. I have written again, to press them further, and to propose to them the payment of thirty thousand florins only, for the case of our captives, as I am in hopes this may do. In the close of my letter to them, you will observe I refer them, as to the article of foreign officers, to the board of treasury. I had, in truth, received the printed journals a few days before, but had not yet had time to read them carefully, and particularly, had not then noted the vote of Congress of August 20th, directing me to attend to that article. I shall not fail to do what I can in it, but I am afraid they will consider this also, as standing on the same ground with the other contingent articles.

This country being generally engaged in its elections, affords nothing new and worthy of communication. The hopes of accommodation between Turkey and the two empires, do not gain strength. The war between Russia and Denmark on the one hand, and Sweden on the other, is likely also to go on, the mediation of England being rendered of little force by the accident to its executive. The progress of this war, and also of the broils in Poland, may possibly draw the King of Prussia into it during the ensuing campaign; and it must, before it be finished, take in this country, and perhaps England. The ill humor on account of the Dutch revolution continues to rankle here. They have recalled their Ambassador from the Hague, manifestly to show their dissatisfaction with that Court, and some very dry memorials have

lately been exchanged on the subject of the money this country assumed to pay the Emperor, for the Dutch. I send you very full extracts of these, which will shew you the dispositions of the two Courts towards each other. Whether, and when, this country will be able to take an active part, will depend on the issue of their States General. If they fund their public debts judiciously, and will provide further funds for a war, on the English plan, I believe they will be able to borrow any sum they please. In the meantime, the situation of England will leave them at leisure to settle their internal affairs well. That Ministry, indeed, pretend their King is perfectly re-established. No doubt they will make the most of his amendment, which is real to a certain degree. But, as under pretence of this, they have got rid of the daily certificate of the physicians, and they possessed of the King's person, the public must judge hereafter from such facts only as they can catch. There are several at present which, put together, induce a presumption that the King is only better, not well. And should he be well, time will be necessary to give a confidence, that it is not merely a lucid interval. On the whole, I think we may conclude, that that country will not take a part in the war this year, which was by no means certain before.

M. del Pinto, formerly Minister of Portugal at London, and the same who negotiated the treaty with us, being now put at the head of the Ministry of that country, I presume that negotiation may be renewed successfully, if it be the desire of our Government. Perhaps an admission of our flour into their ports may be obtained now, as M. del Pinto seemed impressed with our rea-

soning on that subject, and promised to press it on his Court, though he could not then venture to put it into the treaty. There is not the same reason to hope any relaxation as to our reception in Brazil, because he would scarcely let us mention that at all. I think myself, it is their interest to take away all temptations to our co-operation in the emancipation of their colonies; and I know no means of doing this, but the making it our interest that they should continue dependant, nor any other way of making this our interest, but by allowing us a commerce with them. However, this is a mode of reasoning which their Ministry, probably, could not bear to listen to.

I send herewith, the gazettes of France and Leyden, and have the honor to be, &c.

TH: JEFFERSON.



FROM THOMAS JEFFERSON TO MESSRS. WILLINKS AND
VAN STAPHORSTS.

Paris, February 22, 1789.

Gentlemen,

I have just received your joint letter of the 16th inst. to me, and have perused that of the same date to the Board of Treasury, which you were so kind as to enclose for my perusal. I shall immediately forward it to them. You therein state the balance in your hands, to be 123,674 florins, to which will be added the nett produce of 103 bonds engaged, though not yet delivered, and you say there will then be a deficiency of about 100,000 florins for the June interest. From this an

implication arises, that you consider this balance as a deposit for the June interest, and propose again to postpone the article of 60,000 florins appropriated in the estimate we left you, to a particular purpose as of the last year. But I must observe to you, that this article is of a nature not to admit such postponement. The situations it is intended to relieve are too cruel to be suffered. That estimate was under the eyes of Congress when they approved the loan, which was to fulfil its views. The order of appropriation is as much established by their will, as the sums appropriated; and priority in order gives priority of right. Though that article stands among those which should have been furnished in 1788. I said nothing when I found you were postponing it to the interest of February 1789, but I did not expect it would be again proposed to postpone it to that of June; and were I to be silent now it might afterwards be postponed to that of February, and so on, without end. Besides my instructions from Congress, which do not leave me at liberty to permit this object to lose its turn; besides the pressing cries of humanity, which urge its right; another reason is superadded; I have asked and hope to receive leave to go to America in the ensuing spring, and shall not return till the fall. Were I to leave Europe without setting this business into motion, it would be suspended till my return, which no consideration will permit. As I expect then to sail about the middle of April, I must draw on you in the course of the month of March for these 60,000 florins, and I hope the same motives will urge you to honor the draft, which will oblige me to make it. Besides this, the article of the medals stands before that of either the February or June

interest; and as my departure would render it necessary that these also should be finished, and their execution requires time, I have been obliged to enter into contracts with the several workmen, who are already well advanced in their work, and will finish it by the middle of April. They will soon become entitled to partial payments, so that I must immediately begin these drafts on you, and make the whole of them between this and the middle of April. With respect to the appropriation for the foreign officers, I have no orders, I presume they will be sent to you. Should your two houses concur in sentiment on the subject of this letter, I shall hope to receive your joint answer as usual. Should they differ in opinion, I must ask your answers separately.

I have the honor to be, &c.

TH: JEFFERSON.

MEMORIAL.

M. Lestevenon de Berkenrode, (the Dutch Ambassador at the Court of Versailles,) delivered some time ago a memorial to the Court of France, for the purpose of reminding the King of the four and a half millions which the Court, under the administration of the Count de Vergennes, engaged to pay in virtue of the treaty of peace, signed at Fontainebleau, between the Court of Vienna and the Plenipotentiary of the States General, in consideration of the sum of eight millions of German Florins, valued at ten millions of Dutch Florins, five and a half of which, at the charge of the States General, and four and a half France undertook to furnish to procure peace for the Republic.

He was answered by the Count de Montmorin, that

this memorial would be laid before the King. The Council having considered it, sent a note thereon to the States General by M. Caillard Chargé d’Affaires from the Court at the Hague, wherein they ascend as far as the last war between France and England, which gave cause to the alliance between His Majesty and the Republic, they mention therein the two ships of the line, that was offered to the King, and also the war between His Majesty, the Emperor, and the Republic, which France, by its good offices at the Court of Vienna, stifled in its birth, by consolidating a peace between the two States. It is said therein, that it is true that the King took upon himself the payment of the four and a half millions of florins in order to procure it, but that T. H. M. not having given the two sail of the line, which they offered, and not having regarded the demand of the King’s Ambassador in June last, to stipulate at the end of the treaty of alliance subsisting with France, a clause to counter-balance the advantages granted to England in the new alliance with the Republic in contravention to that with France; that T. H. M. in their political changes having proscribed such members of the States, as had not contributed to form this alliance, and having *by this means shaken themselves the basis of this pecuniary convention, it appeared to the King that he was disengaged from complying with it, and that he submitted this consideration to T. H. M’s. wisdom and justice.*

We understand, that on the 22nd January, T. H. M. answered this note by a long memorial, of which the following is the substance. They therein express their acknowledgments for the signal services which the Court of France has rendered them during the war between

the republic and Great Britain (in which the State was involved by causes which the King cannot be ignorant of) T. H. M. are penetrated with the generous manner in which the King has restored the re-conquered possessions belonging to the republic, in the two Indies, that they wish for nothing more than to contribute, if the case happens, all in their power towards the prosperity of the French arms, by virtue of the alliance subsisting between the two States. That the King completed his kindness, by preventing, through his powerful mediations, a war with which the Emperor menaced the republic, and by procuring a peace by sacrificing four and a half millions, the four first instalments of which the King has already paid. That T. H. M., full of confidence in the words of the King, had expected the same payment of the other periods with the like promptitude, and that they had attributed the delay of the payment of the two last periods *only to the circumstances of the Finances*, without renouncing them. That it is true, that one province of the Union made the proposition to the States General of offering to the King two ships of the line, but that the resolution was not taken, that as to the alliances which T. H. M. have contracted, they conceive that an *independent State* is at liberty to form such political alliances as the safety of the country requires, *without being obliged to be answerable to any one whatever for its motives*. That T. H. M. have remarked with as much pain as surprise, that the King's Minister has made use of the expression "that T. H. M. *had themselves shaken the basis of the Convention, and that they had proscribed from the government, the persons who had chiefly contributed to form the alliance with France*." That

T. H. M. disavow this imputation, which can only be the work of such as envy the prosperity and happiness of the Republic, and have endeavored to abuse the King in every thing that relates to the affairs of the Republic. That T. H. M. flatter themselves, that the King, being better informed of the state of things, will render justice to the uprightness of T. H. M's. intentions, which they will not cease to convince his Majesty of. The remainder of the memorial respects the troubles that have so cruelly harassed the Republic; troubles, that like an epidemical disorder, have overrun all Europe. T. H. M. say, that a cabal, accustomed to bend every thing to their yoke, tyrannized over a part of the nation, which had since so clearly expressed its sentiments; that it had carried its audacity so far as to insult and offer violence to the Princess of Orange, whose virtues are admired by Europe, and who ought to be an object of veneration to all who profess principles of honor and justice. That His Majesty, the King of Prussia, enraged at the insult offered his blood, in the person of his august sister, had demanded exemplary satisfaction, which had been refused him by the cabal, notwithstanding the representations of His Majesty, that the King of Prussia having armed his troops, entered in a very few days into the heart of Holland, without availing himself of his advantages, and effected a revolution that will form an epoch in the annals of history; a revolution, the more marvellous, as in re-establishing the lawful constitution, it tended to aggrandize no one person in the Republic. There T. H. M. conclude with painting the cabal in the blackest colors, they charge it with having dared to employ the King's military officers in their culpable designs (as T.

H. M. have shewn) as if the King had intended to have overturned the laws of the Republic. T. H. M. repeat with pleasure the King's reiterated assurances, that he would not intermeddle in an armed manner in the affairs of the Republic. In the last place, T. H. M. declare that they cannot relinquish the King's sacred word for the payment, which constitutes the principal object of the memorial, and which, if present circumstances prevent the discharge, T. H. M. expect that a more favorable change will admit of it.

FROM THOMAS JEFFERSON TO JOHN JAY.

Paris, March 15, 1789.

Sir,

Since closing my letters which accompany this, I have received an answer from London on the subject of the other volumes of Deane's letters and accounts suggested to be still in his possession. This information renders it certain that none such are in his possession, and probable that no others exist but the two, which I have purchased. I am in hopes, therefore, we may conclude that the recovery of these two volumes finishes that business.

Mr. Nesbit having concluded to stay yet a while longer, my present despatches will go to London by a private conveyance which occurs to-morrow morning, from which place Mr. Trumbull will, as usual, find a safe occasion of forwarding them.

I have the honor to be, &c.

TH: JEFFERSON.

P. S. March 18th.—Before the departure of my letters, the incident became known which has taken place in Sweden, and is minutely detailed in the gazette of Leyden of the 13th inst. It proves that their King is bold, if not judicious. Attacked in the north by Russia, in the south by Denmark, his army at home disgusted, he has ventured, at one stroke, to place his whole body of nobles in hostile opposition, with all their dependencies in money and men. To those who do not know him, it will excite a presumption that he is assured the King of Prussia will go all lengths with him; but to those who know his character, it is only a proof the more that he is very fool hardy.



FROM THOMAS JEFFERSON TO WILLIAM CARMICHAEL.

Paris, May 8, 1789.

Dear Sir,

Your favor of January the 26th to March the 27th is duly received, and I thank you for the interesting papers it contained; the answer of Don Ulloa, however, on the subject of the canal through the American Isthmus, was not among them, though mentioned to be so. If you have omitted it through accident, I shall thank you for it on some future occasion, as I wish much to understand that subject thoroughly. Our American information comes down to the 16th of March. There had not yet been members enough assembled of the new Congress, to open the tickets. They expected to do it in a day or two. In the meantime, it was said from all the States, that their vote had been unanimous for General Wash-

ington, and a good majority in favor of Mr. Adams, who is certainly, therefore, Vice President. The new Government would be supported by very cordial and very general dispositions in its favor from the people. I have not yet seen a list of the new Congress. This delay in the meeting of the new Government, has delayed the determination on my petition for leave of absence. However, I expect to receive it every day, and am in readiness to sail the instant I receive it, so that this is probably the last letter I shall write you hence, till my return. While there, I shall avail Government of the useful information I have received from you, and shall not fail to profit of any good occasion which may occur, to shew the difference between your real situation, and what it ought to be. I consider Paris and Madrid as the two only points at which Europe and America should touch closely, and that a connexion at these points should be fostered.

We have had in this city a very considerable riot, in which about one hundred people have been probably killed. It was the most unprovoked, and is, therefore, justly, the most unpitied catastrophe of that kind I ever knew. Nor did the wretches know what they wanted, except to do mischief. It seems to have had no particular connexion with the great national question now in agitation. The want of bread is very seriously dreaded through the whole kingdom. Between twenty and thirty ship loads of wheat and flour have already arrived from the United States, and there will be about the same quantity of rice sent from Charleston to this country directly, of which about half has arrived. I presume that between wheat and rice, one hundred ship loads may be

counted on in the whole from us. Paris consumes about a ship load a day (say two hundred and fifty tons.) The total supply of the West Indies for this year, rests with us, and there is almost a famine in Canada and Nova Scotia. The States General was opened the day before yesterday. Viewing it as an opera, it was imposing; as a scene of business, the King's speech was exactly what it should have been, and very well delivered. Not a word of the Chancellor's was heard by any body, so that, as yet, I have never heard a single guess at what it was about. Mr. Necker's was as good as such a number of details would permit it to be. The picture of their resources was consoling, and generally plausible. I could have wished him to have dwelt more on those great constitutional reformatations, which his "*Rapport au roi*" had prepared us to expect. But they observe that these points were proper for the speech of the Chancellor. We are in hopes, therefore, that they were in that speech, which, like the revelations of St. John, were no revelations at all. The Noblesse, on coming together, shew that they are not as much reformed in their principles as we had hoped they would be. In fact, there is real danger of their totally refusing to vote by persons. Some found hopes on the lower clergy, which constitute four-fifths of the deputies of that order. If they do not turn their balance in favor of the *tiérs états*, there is real danger of a scission; but I shall not consider even that event as rendering things desperate. If the King will do business with the *tiérs états*, which constitutes the nation, it may be well done without priests or nobles. From the best information I can obtain, the King of England's madness has terminated in an imbecility, which

may very probably be of long continuance. . He is going with his Queen to Germany. England chained to rest; the other parts of Europe may recover or retain tranquillity.

I have the honor to be, &c.

TH: JEFFERSON.



FROM THOMAS JEFFERSON TO JOHN JAY.

Paris, May 9, 1789.

Sir,

Since my letter of March 1st. by the way of Havre, and those of March the 12th and 15th by the way of London, no opportunity of writing has occurred till the present to London.

There are no symptoms of accommodation between the Turks and two Empires, nor between Russia and Sweden. The Emperor was, on the 16th of the last month, expected to die certainly ; he was, however, a little better when the last news came away, so that hopes were entertained of him ; but it is agreed that he cannot get the better of his disease ultimately, so that his life is not at all counted on. The Danes profess as yet, to do no more against Sweden, than furnish their stipulated aid. The agitation of Poland is still violent, though somewhat moderated by the late change in the demeanor of the King of Prussia. He is much less thraasonic than he was. This is imputed to the turn which the English politics may be rationally expected to take. It is very difficult to get at the true state of the British King ; but from the best information we can get,

his madness has gone off; but he is left in a state of imbecility and melancholy. They are going to carry him to Hanover, to see whether such a journey may relieve him. The Queen accompanies him. If England should, by this accident, be reduced to inactivity, the southern countries of Europe may escape the present war. Upon the whole, the prospect for the present year, if no unforeseen accident happens, is certain peace for the powers not already engaged, a probability that Denmark will not become a principal, and a mere possibility that Sweden and Russia may be accommodated. The interior disputes of Sweden are so exactly detailed in the Leyden gazette, that I have nothing to add on that subject.

The revolution of this country has advanced thus far without encountering any thing, which deserves to be called a difficulty. There have been mobs in a few instances, in three or four different places, in which there may have been a dozen or twenty lives lost. The exact truth is not to be got at. A few days ago, a much more serious riot took place in this city, in which it became necessary for the troops to engage in regular action with the mob, and probably about 100 of the latter were killed, accounts vary from twenty to two hundred. They were the most abandoned banditti of Paris, and never was a riot more unprovoked and unpitied. They began under a pretence that a paper manufacturer proposed in an assembly to reduce their wages to fifteen sous a day. They rifled his house, destroyed every thing in his magazines and shops, and were only stopped in the career of mischief, by the carnage abovementioned. Neither this, nor any other of the riots, have had a pro-

fessed connexion with the great national reformation going on; they are such as have happened every year since I have been here, and as will continue to be produced by common incidents. The States General were opened on the 4th inst. by a speech from the throne, one by the *Garde des Sceaux*, and one from M. Necker. I hope they will be printed in time to send you herewith; lest they should not, I will observe that, that of M. Necker stated the real and ordinary deficit to be 56 millions, and that he shewed that this could be made up without a new tax, by economies and bonifications, which he specified. Several articles of the latter are liable to the objection, that they are proposed on branches of the revenue, of which the nation has demanded a suppression. He tripped too slightly over the great articles of constitutional reformation, these being not as clearly enounced in this discourse, as they were in his "*rapport au roi*," which I sent you some time ago. On the whole his discourse has not satisfied the patriotic party. It is now for the first time, that this revolution is likely to receive a serious check, and begins to wear a fearful appearance. The progress of light and liberality in the order of the Noblesse, has equalled expectation in Paris only, and its vicinities. The great mass of deputies of that order, which come from the country, shew that the habits of tyranny over the people are deeply rooted in them. They will consent indeed to equal taxation, but five sixths of that chamber, are thought to be decidedly for voting by orders; so that had this great preliminary question rested on this body, which formed heretofore the sole hope, that hope would have been completely disappointed. Some aid, however, comes in a quarter

from whence none was expected. It was imagined the ecclesiastical elections would have been generally in favor of the higher clergy ; on the contrary, the lower clergy have obtained five sixths of these deputations. These are the sons of peasants, who have done all the drudgery of the service for ten, twenty and thirty guineas a year, and whose oppressions and penury, contrasted with the pride and luxury of the higher clergy, have rendered them perfectly disposed to humble the latter. They have done it, in many instances, with a boldness they were thought unsusceptible of. Great hopes have been formed, that these would concur with the *tiers états*, in voting by persons. In fact, about half of them seem as yet so disposed ; but the bishops are intriguing, and drawing them over with the address, which has ever marked ecclesiastical intrigue. The deputies of the *tiers états*, seem, almost to a man, inflexibly determined against the vote by orders. This is the state of parties, as well as can be judged from conversation only, during the fortnight they have been now together. But as no business has been yet begun, no votes as yet taken, this calculation cannot be considered as sure. A middle proposition is talked of, to form the two privileged orders into one chamber. It is thought more possible to bring them into it, than the *tiers états*. Another proposition is, to distinguish questions, referring those of certain descriptions, to a vote by persons, others to a vote by orders. This seems to admit of endless altercation, and in the *tiers états* they manifest no respect for that, or any other modification whatever. Were this single question accommodated, I am of opinion, there would not occur the least difficulty in the great and essential points of

constitutional reformation. But, on this preliminary question the parties are so irreconcilable, that it is impossible to foresee what issue it will have. The *tiers états*, as constituting the nation, may propose to do the business of the nation, either with or without the minorities in the houses of the clergy and nobles, which side with them. In that case, if the King should agree to it, the majorities in those two houses would secede, and might resist the tax gatherers; this would bring on a civil war. On the other hand, the privileged orders, offering to submit to equal taxation, may propose to the King to continue the government in its former train, reserving to himself the power of taxation. Here, the tax gatherers might be resisted by the people. In fine, it is but too possible, that between parties so animated, the King may incline the balance as he pleases. Happy, that he is an honest, unambitious man, who desires neither money nor power for himself; and that his most operative Minister, though he has appeared to trim a little, is still, in the main, a friend to public liberty.

I mentioned to you in a former letter, the construction which our bankers at Amsterdam, had put on the resolution of Congress, appropriating the last Dutch loan, by which, the money for our captives would not be furnished till the end of the year 1790. Orders from the board of treasury, have now settled this question. The interest of the next month is to be first paid, and after that, the money for the captives and foreign affairs, is to be furnished, before any other payment of interest; this ensures it when the next February interest becomes payable. My representations to them, on account of the contracts I had entered into for making the medals, have

produced from them the money for that object, which is to be lodged in the hands of M. Grand.

Mr. Necker, in his discourse, proposes among his bonifications of revenue, the suppression of our two free ports, Bayonne and L'Orient, which, he says, occasion a loss of six hundred thousand livres annually, to the crown, by contraband. (The speech being not yet printed, I state this only as it struck my ear when he delivered it. If I have mistaken it, I beg you to receive this as my apology, and to consider what follows, as written on that idea only.) I have never been able to see that these free ports were worth one copper to us. To Bayonne our trade never went, and it is leaving L'Orient. Besides, the right of *entrepôt* is a perfect substitute for the right of free port. The latter is a little less troublesome only, to the merchants and captains. I should think, therefore, that a thing so useless to us, and prejudicial to them, might be relinquished by us, on the common principles of friendship. I know the merchants of these ports will make a clamor, because the franchise covers their contraband with all the world. Has Monsieur de Moustier said any thing to you on this subject? It has never been mentioned to me. If not mentioned in either way, it is rather an indecent proceeding, considering that this right of free port is founded in treaty. I shall ask of M. de Montmorin, on the first occasion, whether he has communicated this to you through his Minister; and if he has not, I will endeavor to notice the infraction to him in such manner, as neither to reclaim nor abandon the right of free port, but leave our government free to do either.

The gazettes of France and Leyden, as usual, will

accompany this. I am in hourly expectation of receiving from you my leave of absence, and keep my affairs so arranged, that I can leave Paris within eight days after receiving the permission.

I have the honor to be, &c.

TH: JEFFERSON.

FROM THOMAS JEFFERSON TO JOHN JAY.

Paris, May 12, 1789.

Sir,

I am this moment returned from Versailles, and it is the last moment allowed me to write by this occasion. The *tiers état* remain unshaken in their resolution to do no business with the other orders, but voting by persons. The Nobles are equally determined, and by a majority of four-fifths or five-sixths to vote only by orders. Committees of accommodation indeed are appointed, but with little prospect of effect. Already the minority of the Nobles begin to talk of abandoning their body and going to take their places among the *Tiers*. Perhaps they may be followed by the timid part of their order. And it might be hoped by a majority of the Clergy, which still remain undebauched by the Bishops. This would form a States General of the whole *Tiers*, a majority of the Clergy, and a fraction of the Nobles. This may be considered then as one of the possible issues this matter may take, should reconciliation be impracticable. I am able to speak now more surely of the situation of the Emperor, his complaint is pulmonary—the spitting of blood is from the lungs—the hemorrhage which came on

was critical, and relieved him for the moment, but the relief was momentary only—there is little expectation he can last long. The King of England's voyage to Hanover is spoken of more doubtfully—this would be an indication that his complaint is better, or at least, not worse. I find, on receiving Mr. Necker's discourse in print, that he has not proposed in direct terms, to put down our free ports. The expression is "*on se borne en ce moment a vous faire observer, &c.*" I spoke on the subject with M. de Montmorin to-day, and he says they meant and mean to confer with me on it before my departure. I spoke to him also to bring Schweighauser's and Dobrée's affair to a conclusion: and to M. Rayneval on the same subject. They told me they had just received a letter from the Count de la Luzerne, justifying the detention of our stores: that they were so much dissatisfied with the principles he advanced, that they should take upon themselves to combat and protest against them, and to insist on a clear establishment of the rule, that the property of one Sovereign within the dominions of another, is not liable to the territorial jurisdiction. They have accordingly charged one of their ablest Counsel with the preparation of a *memoir* to establish this point.

I have the honor to be, &c.

TH: JEFFERSON.

P. S. Mr. Necker's discourse accompanies this.

FROM THOMAS JEFFERSON TO JOHN JAY.

Paris, June 17, 1789.

Sir,

I had the honor of addressing you on the 9th and 12th of May, by the way of London. This goes through the same channel, to the care of Mr. Trumbul. Having received no letter from you of later date than the 25th of November, I am apprehensive that there may have been miscarriages, and the more so, as I learn through another channel, that you have particularly answered mine of November the 19th.

The death of the Grand Seignior, which has happened, renders the continuance of the war more probable, as it has brought to the throne a successor of a more active and ardent temper, and who means to put himself at the head of his armies. He has declared the Captain Pacha his *Generalissimo*. The prospects for Russia, on the other hand, are less encouraging. Her principal ally, the Emperor, is at death's door, blazing up a little, indeed, from time to time, like an expiring taper, but certainly to extinguish soon. Denmark too, is likely to be restrained by the threat of England and Prussia, from contributing even her stipulated naval succors. It is some time since I have been able to obtain any account of the King of England, on which I can rely with confidence. His melancholy continues, and to such a degree, as to render him absolutely indifferent to every thing that passes, so that he seems willing to let his Ministers do every thing they please, provided they will let him alone. When forced to speak, his comprehension seems better than it was in the first moments after his phrenzy went

off. His health is bad ; he does not go into public at all, and very few are admitted to see him. This is his present state, according to the best accounts I have been able to get lately. His Ministers dictate boldly in the north, because they know it is impossible they should be engaged in the war, while this country is so completely palsied.

You will have seen, by my former letters, that the question whether the States General should vote by persons or by orders, had stopped their proceedings in the very first instance in which it could occur ; that is, as to the ratification of their powers ; and that they had appointed committees to try if there were any means of accommodation. These could do nothing. The King then proposed they should appoint others, to meet persons whom he should name on the same subject ; these conferences also proved ineffectual. He then proposed a specific mode of verifying. The clergy accepted it unconditionally. The *Noblesse*, with such conditions and modifications as did away their acceptance altogether. The commons, considering this as a refusal, came to the resolution of the 10th instant, (which I have the honor to send you,) inviting the two other orders to come and take their places in the common room, and notifying that they should proceed to the verification of powers, and to the affairs of the nation, either with or without them.

The clergy have, as yet, given no answer. A few of their members have accepted the invitation of the commons, and have presented themselves in their room, to have their powers verified ; but how many it will detach, in the whole, from that body, cannot be known till an answer be decided on. The *Noblesse* adhered to their

former resolutions, and even the minority, well disposed to the commons, thought they could do more good in their own chamber, by endeavoring to increase their members, and fettering the measures of the majority, than by joining the commons. An intrigue was set on foot between the leaders of the majority in that house, the Queen and Princes. They persuaded the King to go for some time to Marly, he went ; on the same day the leaders moved in the chambers of the *Noblesse*, that they should address the King, to declare his own sentiments on the great question between the orders. It was intended that this address should be delivered to him at Marly, where, separated from his Ministers, and surrounded by the Queen and Princes, he might be surprized into a declaration for the nobles. The motion was lost, however, by a very great majority, that chamber being not yet quite ripe for throwing themselves into the arms of despotism. Necker and Montmorin, who had discovered this intrigue, had warned some of the minority to defeat it ; or they could not answer for what would happen. These two, and St. Priest, are the only members of the council in favor of the commons. Luzerne, Puy-Segur and the others, are high aristocrats. The commons having verified their powers, a motion was made the day before yesterday, to declare themselves constituted, and to proceed to business. I left them at two o'clock yesterday, the debate not then finished. They differed only about forms of expression, but agreed in the substance, and probably decided yesterday, or will decide to-day. The next move, I fancy, will be to suppress all taxes, and instantly re-establish them till the end of their session, in order to prevent a premature dissolution ; and

then they will go to work on a declaration of rights and a constitution. The *Noblesse* I suppose, will be employed, altogether in counter operations; the clergy, that is to say, the higher clergy, and such of the *curés*, as they can bring over to their side, will be waiting and watching, merely to keep themselves in their saddles. Their deportment hitherto is that of meekness and cunning. The fate of the nation depends on the conduct of the King and his Ministers. Were they to side openly with the commons, the revolution would be completed without a convulsion, by the establishment of a constitution, totally free, and in which the distinction of Noble and Commoner would be suppressed. But this is scarcely possible. The King is honest, and wishes the good of his people; but the expediency of an hereditary aristocracy is too difficult a question for him. On the contrary, his prejudices, his habits, and his connexions, decide him in his heart to support it. Should they decide openly for the *Noblesse*, the Commons, after suppressing taxes, and finishing their declaration of rights, would probably go home; a bankruptcy takes place in the instant, Mr. Necker must go out, a resistance to the tax gatherers follows, and probably a civil war. The consequences are too evident and violent to render this issue likely. Though the Queen and Princes are infatuated enough to hazard it, the party in the ministry would not. Something, therefore, like what I hinted in my letter of May 12th, is still the most likely to take place. While the Commons, either with or without, their friends of the other two houses shall be employed in framing a constitution, perhaps the government may set the other two houses to work on the same subject, and when the

three schemes shall be ready, joint committees may be negotiated to compare them together, to see in what parts they agree, and probably, they will agree in all, except the organization of the future States General. As to this, it may be endeavored, by the aid of wheedling and intimidation, to induce the two privileged chambers to melt themselves into one, and the Commons, instead of one, to agree to two houses of legislation. I see no other middle ground to which they can be brought.

It is a tremendous cloud, indeed, which hovers over this nation, and he at the helm has neither the courage nor the skill necessary to weather it. Eloquence in a high degree, knowledge in matters of account and order, are distinguished traits in his character. Ambition is his first passion, virtue his second. He has not discovered that sublime truth, that a bold, unequivocal virtue, is the best handmaid even to ambition, and would carry him further, in the end, than the temporising, wavering policy he pursues. His judgment is not of the first order, scarcely even of the second; his resolution frail, and upon the whole, it is rare to meet an instance of a person so much below the reputation he has obtained. As this character, by the post and times in which Providence has placed it is important to be known, I send it to you as drawn by a person of my acquaintance, who knows him well. He is not, indeed, his friend, and allowance must, therefore, be made for the high coloring. But this being abated, the facts and groundwork of the drawing are just. If the *Tiers* separate, he goes at the same time; if they stay together, and succeed in establishing a constitution to their minds, as soon as that is placed in safety they will abandon him to the mercy of the Court, unless he can

recover the confidence which he has lost at present, and which, indeed, seems to be irrecoverable.

The inhabitants of St. Domingo, without the permission of the government, have chosen and sent deputies to the States General. The question of their admission is to be discussed by the States. In the mean time, the Government had promised them an assembly in their own island, in the course of the present year. The death of the Dauphin, so long expected, has at length happened. Montmorin told Ternant the other day, that de Moustier had now asked a *congé*, which would be sent him immediately, so that unless a change of Ministry should happen, he will probably be otherwise disposed of. The gazettes of France and Leyden accompany this.

. I have the honor to be, &c.

TH: JEFFERSON.

P. S. June 18th.—The motion under debate with the commons, for constituting their assembly, passed yesterday by a majority of four hundred and odd, against eighty odd. The latter were for it in substance, but wished some particular amendment. They proceeded instantly to the subject of taxation. A member who called on me this moment, gave me a state of the proceedings of yesterday from memory, which I enclose you. He left the house a little before the question was put, because he saw there was no doubt of its passing; and his brother, who remained till the decision, informed him of it. So that we may expect, perhaps, in the course of to-morrow, to see whether the Government will interpose with a bold hand, or will begin a negotiation.

But in the meantime, this letter must go off. I will find some other opportunity, however, of informing you of the issue.

T. J.

Character of M. Necker, accompanying the preceding letter.

Nature bestowed on M. Necker an ardent passion for glory, without at the same time, granting him those qualities required for its pursuit, by direct means. The union of a fruitful imagination with a limited talent, with which she has endowed him, is always incompatible with those faculties of the mind which qualify their possessor to penetrate, to combine, and to comprehend, all the relations of objects.

He had probably learned in Geneva, his native country, the influence which riches exercise on the success of ambition, without having recourse to the school of Paris, where he arrived about the twenty-eighth year of his age. A personal affair with his brother, in which the chiefs of the republic conducted themselves unjustly towards him, the circumstances of which, moreover, exposed him to ridicule, determined him to forsake his country. On taking his leave, he assured his mother that he would make a great fortune in Paris. On his arrival he engaged himself as clerk, at a salary of six hundred livres, with the banker Thelusson, a man of extreme harshness in his intercourse with his dependants. The same cause which obliged other clerks to abandon the service of Thelusson, determined Necker to continue in it. By submitting to the brutality of his master with a servile resignation, whilst at the same time he devoted the most unremitting attention to his business, he recom-

mended himself to his confidence, and was taken into partnership. Ordinary abilities only, were requisite to avail him of the multitude of favorable circumstances which, before he entered into the administration, built up a fortune of six million of livres. He owed much of his good fortune to his connexions with the Abbé Terrai, of whose ignorance he did not scruple to profit. His riches, his profession, his table, and a virtuous, reasonable and well informed wife, procured him the acquaintance of many persons of distinction, among whom were many men of letters, who celebrated his knowledge and wisdom.

The wise and just principles by which Turgot aimed to correct the abuses of the administration, not having been received with favor, he seized the occasion to flatter ignorance and malignity, by publishing his work against the freedom of the corn trade.

He had published, two years before, an eulogy on Colbert. Both these productions exhibited the limited capacity of a banker, and, in no degree, the enlarged views of a statesman. Not at all delicate in the choice of his means, he succeeded to his wish in his object, which was the establishing himself in public opinion. Elevated by a secret cabal, to the direction of the finances, he began by refusing the salaries of his office. He affected a spirit of economy and austerity, which imposed even on foreign nations, and shewed the possibility of making war without laying new taxes. Such, at least, was his boast; but, in reality, they have been increased under his administration, about twenty millions, partly by a secret augmentation of the *bailles* and of the poll-tax, partly by some verifications of the *twentieths*, and partly

by the natural progression, which is tested by the amount of taxes on consumptions, the necessary result of the successive increase of population, of riches and of expensive tastes.

All these circumstances reared for him an astonishing reputation, which his fall has consecrated. People will not reflect, that, in the short period of his ministry, he had more than doubled his fortune. Not that he speculated on the public treasury, his good sense and pride forbade a resort to this measure of weak minds; but by resorting to loans and the costly operations of the bank, to provide the funds of war, and being still connected with the house to which he addressed himself, for much the greater part of his negotiations. They have not remarked that his great principles of economy have nothing more than a false show, and that the loans resorted to, in order to avoid the imposition of taxes, have been the source of the mischief, which has reduced the finances to their present alarming condition.

As to his *compte rendu*, he has been forgiven the nauseous panegyric which he has passed upon himself, and the affectation of introducing his wife into it, for the purpose of praising her; and we are spared the trouble of examining his false calculations. M. de Calonne has undertaken this investigation. Without being able to vindicate himself, he has already begun to unmask his antagonist, and he promises to do it effectually.

Necessity has recalled this man to the ministry, and it must be confessed, that he is, beyond comparison, a less mischievous Minister than his predecessors. I would compare him to a steward, who, by his management, does not entirely ruin his master; but who enriches him-

self at his expense. The desire of glory should inspire him as much as possible with the energy requisite for the public business. There is every likelihood that his ministry will not endure long enough, to cause it to feel the effects of his false principles of administration; and it is he alone, who is *able*, if any one can, to preserve order in the finances until the reform is effected, which we hope from the assembling of the States General. In the meantime, the public estimation of his talents and virtue is not so high as it has been. There are persons who pretend that he is more firmly established in public opinion than he ever was. They deceive themselves. The ambitious desire he has always manifested of getting again into the administration, his work on the importance of religious opinions, and the *memoires* of M. de Calonne, have greatly impaired his reputation.

FROM THOMAS JEFFERSON TO JOHN JAY.

Paris, June 24, 1789.

Sir,

My letter of 17th and 18th instant, gave you the progress of the States General to the 17th, when the *tiers*, had declared the illegality of all the existing taxes, and their discontinuance from the end of their present session. The next day being a *jour de jête*, could furnish no indication of the impression that vote was likely to make on the government. On the 19th a Council was held at Marly, in the afternoon. It was there proposed, that the King should interpose by a declaration of his sentiments in a *séance royale*. The declaration prepared

by M. Necker, while it censured in general, the proceedings both of the nobles and commons, announced the King's views, such as substantially to coincide with the commons. It was agreed to in Council, as also that the *séance royale* should be held on the 22nd, and the meeting till then be suspended. While the Council was engaged in this deliberation at Marly, the Chamber of the clergy was in debate, whether they should accept the invitation of the *tiers* to unite with them in the common chamber. On the first question, to unite simply and unconditionally, it was decided in the negative, by a very small majority. As it was known, however, that some members who had voted in the negative, would be for the affirmative with some modifications, the question was put with these modifications, and it was determined by a majority of eleven members, that their body should join the *tiers*. These proceedings of the clergy were unknown to the Council at Marly, and those of the Council were kept secret from every body. The next morning, (the 20th) the members repaired to the house as usual, found the doors shut and guarded, and a proclamation posted for holding a *séance royale* on the 22nd. and a suspension of their meetings till then. They presumed in the first moment, that their dissolution was decided, and repaired to another place, where they proceeded to business. They there bound themselves to each other by an oath, never to separate of their own accord, till they had settled a constitution for the nation on a solid basis, and, if separated by force, that they would re-assemble in some other place. It was intimated to them, however, that day, privately, that the proceedings of the *séance royale* would be favorable to them.

The next day they met in a church, and were joined by a majority of the clergy. The heads of the aristocracy, viz. the Queen, Count d'Artois and Prince de Condé, saw that all was lost without some violent exertion. The King was still at Marly. Nobody was permitted to approach him but their friends. He was assailed by lies in all shapes. He was made to believe that the commons were going to absolve the army from their oath of fidelity to him, and then to raise his pay. The Queen abandoned herself to rage and despair. They procured a committee to be held, consisting of the King and his Ministers, to which Monsieur ——— and the Count d'Artois should be admitted. At this committee, the latter attacked Mr. Necker personally, arraigned his plan, and proposed one which some of his engines had put into his hands, for his own talents go no further than a little poor wit. Mr. Necker, whose characteristic is the want of firmness, was browbeaten and intimidated, and the King shaken. He determined that the two plans should be deliberated on the next day, and the *séance royale* put off a day longer. This encouraged a fiercer attack on Mr. Necker the next day; his plans were totally dislocated, and that of the Count d'Artois inserted into it. Himself and M. de Montmorin offered their resignation, which was refused; the Count d'Artois saying to Mr. Necker "No, sir, you must be kept as a hostage, we hold you responsible for all the ill which shall happen." This change of plan was immediately whispered without doors. The nobility were in triumph, the people in consternation. When the King passed the next day, through the lane they formed from the chateau to the *Hotel des états* (about

half a mile) there was a dead silence. He was about an hour in the house delivering his speech and declaration, copies of which I enclose you. On his coming out, a feeble cry of "*vive le roy*" was raised by some children, but the people remained sullen and silent. When the Duke d'Orleans followed, however, their applause was excessive. This must have been sensible to the King. He had ordered in the close of his speech that the members should follow him, and resume their deliberations the next day. The *Noblesse* followed him, and so did the clergy, except about thirty, who, with the *tiers*, remained in the room, and entered into deliberation. They protested against what the King had done, adhered to all their former proceedings, and resolved the inviolability of their own persons. An officer came twice to order them out of the room, in the King's name, but they refused to obey. In the afternoon, the people uneasy, began to assemble in great numbers in the Courts and vicinities of the palace. The Queen was alarmed and sent for M. Necker. He was conducted amidst the shouts and acclamations of the multitude, who filled all the apartments of the palace. He was a few minutes only with the Queen, and about three quarters of an hour with the King. Not a word has transpired of what passed at these interviews. The King was just going out to ride. He passed through the crowd to his carriage, and into it, without being in the least noticed. As M. Necker followed him, universal acclamations were raised of *vive Monsieur Necker, vive le sauveur de la France opprimée*. He was conducted back to his house with the same demonstrations of affection and anxiety; about two hundred deputies of the *tiers*, catching the enthu-

siasm of the moment, went to his house and extorted from him a promise that he would not resign. These circumstances must wound the heart of the King, desirous, as he is, to possess the affection of his subject. As soon as the proceedings at Versailles were known at Paris, a run began on the *caisse d'escompte*, which is the first symptom always of the public diffidence and alarm. It is the less in condition to meet the run, as M. Necker has been forced to make free with its funds, for the daily support of the government. This is the state of things as late as I am able to give them with certainty, at this moment; my letter not having to go off till to-morrow evening, I shall go to Versailles to-morrow, and be able to add the transactions of this day and to-morrow.

June 25.

Just returned from Versailles. I am enabled to continue my narration. On the 24th, nothing remarkable passed, except an attack by the mob of Versailles on the Archbishop of Paris, who had been one of the instigators of the Court, to the proceedings of the *séance royale*. They threw mud and stones at his carriage, broke the windows of it, and he in a fright, promised to join the *tiers*.

This day (the 25th) forty-eight of the nobles have joined the *tiers*. Among these is the Duke d'Orléans. The Marquis de la Fayette could not be of the number, being restrained by his instructions. He is writing to his constituents to change his instructions, or to accept his resignation. There are with the *tiers* now, one hundred and sixty-four members of the clergy, so that the common chamber consists of upwards of eight hundred mem-

bers. The minority of the clergy, however, call themselves the chamber of the clergy, and pretend to go on with business. I found the streets of Versailles much embarrassed with soldiers. There was a body of about one hundred horse drawn up in front of the hotel of the States, and all the avenues and doors guarded by soldiers. Nobody was permitted to enter but the members, and this was by order of the King; for till now the doors of the common room have been open, and at least two thousand spectators attending their debates constantly. They have named a deputation to wait on the King, and desire a removal of the soldiers from their doors, and seemed determined, if this was not complied with, to remove themselves elsewhere.

Instead of being dismayed with what has passed, they seem to rise in their demands, and some of them to consider the erasing every vestige of a difference of order, as indispensable to the establishment and preservation of a good constitution. I apprehend there is more courage than calculation in this project. I did imagine, that seeing that M. Necker and themselves were involved as common enemies in the hatred of the aristocrats, they would have been willing to make common cause with him, and to wish his continuance in office; and that M. Necker, seeing that all the trimming he has used towards the Court and nobles has availed him nothing, would engage himself heartily and solely on the popular side, and view his own salvation in that alone. The confidence which the people place in him, seems to merit some attention. However, the mass of the common chamber are absolutely indifferent to his remaining in office. They consider his head as unequal to the planning a good

constitution, and his fortitude to a co-operation in the effecting it. His dismissal is more credited to-day than it was yesterday. If it takes place he will retain his popularity with the nation, as the members of the States will not think it important to set themselves against it; but on the contrary, will be willing that he should continue on their side on his retirement. The run on the *caisse d'escompte* continues. The members of the States admit, that M. Necker's departure out of office will occasion a stoppage of public payments. But they expect to prevent any very ill effect, by assuring the public against any loss, and by taking immediate measures for continuing payment. They may, perhaps, connect these measures with their own existence, so as to interest the public in whatever catastrophe may be aimed at them. The Gazettes of France and Leyden accompany this. During the continuance of this crisis, and my own stay. I shall avail myself of every private conveyance to keep you informed of what passes.

I have the honor to be, &c.

TH: JEFFERSON.



FROM THOMAS JEFFERSON TO JOHN JAY.

Paris, June 29, 1789.

Sir,

My letter of 28th, gave you the transactions of the States General to the afternoon of that day. On the next, the Archbishop of Paris joined the *tiers*, as did some others of the clergy and *noblesse*. On the 27th, the question of the St. Domingo deputation came on,

and it was decided that it should be received. I have before mentioned to you the ferment into which the proceedings at the *séance royale* of the 23rd, had thrown the people. The soldiery, also, were affected by it. It began in the French guards, extended to those of every other denomination, (except the Swiss) and even to the body guards of the King. They began to quit their barracks, to assemble in squads, to declare they would defend the life of the King, but would not cut the throats of their fellow citizens. They were treated and caressed by the people, carried in triumph through the streets, called themselves the soldiers of the nation, and left no doubt on which side they would be, in case of a rupture. Similar accounts came in from the troops in other parts of the Kingdom, as well those which had not heard of the *séance royale*, as those which had, and gave good reason to apprehend that the soldiery, in general, would side with their fathers and brothers, rather than with their officers. The operation of this medicine, at Versailles, was as sudden as it was powerful. The alarm there was so complete, that in the afternoon of the 27th, the King wrote a letter to the President of the clergy, the Cardinal de la Rochefoucault, in these words.*

“My cousin, wholly engaged in promoting the general good of my kingdom, and desirous, above all things, that the assembly of the States General should apply themselves to objects of general interest, after the voluntary acceptance by your order of my declaration of the 23rd of the present month; I pass my word that my faithful clergy will, without delay, unite themselves with

* A translation is here given.

the other two orders to hasten the accomplishment of my paternal views. Those whose powers are too limited, may decline voting until new powers are procured. This will be a new mark of attachment which my clergy will give me. I pray God, my cousin, to have you in his holy keeping.

LOUIS."

A like letter was written to the Duke de Luxemburgh, President of the *Noblesse*. The two chambers entered into debate on the question, whether they should obey the letter of the King. There was a considerable opposition, when notes, written by the Count d'Artois to sundry members, and handed about amongst the rest, decided the matter, and they went in a body and took their seats with the *tiers*, and thus rendered the union of the orders in one chamber complete. As soon as this was known to the people of Versailles, they assembled about the palace, demanded the King and Queen, who came and shewed themselves in the balcony. They rent the skies with cries of "*vive le roi*," "*vive la reine*." They called for the Dauphin, who was also produced, and was the subject of new acclamations. After feasting themselves and the royal family with this tumultuary reconciliation, they went to the houses of M. Necker and M. de Montmorin, with shouts of thankfulness and affection, similar emotions of joy took place in Paris, and at this moment the triumph of the *tiers* is considered as complete. To-morrow they will recommence business, voting by persons on all questions; and whatever difficulties may be opposed in debate by the malcontents of the clergy and nobility, every thing must

be finally settled at the will of the *tiers*, it remains to see whether they will leave to the nobility any thing but their titular appellations. I suppose they will not. M. Necker will probably remain in office. It would seem natural that he should endeavor to have the hostile part of the council removed, but I question if he finds himself firm enough for that. A perfect co-operation with the *tiers* will be his wisest game. This great crisis being now over, I shall not have matter interesting enough to trouble you with, as often as I have done lately. There has nothing remarkable taken place in any other part of Europe.

I have the honor to be, &c.

TH: JEFFERSON.

FROM THOMAS JEFFERSON TO JOHN JAY.

Paris, July 19, 1789.

Dear Sir,

I am become very uneasy, lest you should have adopted some channel for the conveyance of your letters to me, which is unfaithful. I have none from you of later date than November the 25th, 1788, and of consequence no acknowledgment of the receipt of any of mine, since that of August the 11th, 1788. Since that period, I have written to you of the following dates, 1788, August the 20th; September the 3rd, 5th, 24th; November the 14th, 19th, 29th; 1789, January the 11th, 14th, 21st; February the 4th; March the 1st, 12th, 14th, 15th; May the 9th, 11th, 12th; June the 17th, 24th, 29th. I know, through another person, that you have received

mine of November the 29th, and that you have written an answer ; but I have never received the answer, and it is this which suggests to me the fear of some general source of miscarriage.

The capture of three French merchant ships by the Algerines, under different pretexts, has produced great sensation in the seaports of this country, and some in its government. They have ordered some frigates to be armed at Toulon to punish them. There is a possibility that this circumstance, if not too soon set to rights by the Algerines may furnish occasion to the States General, when they shall have leisure to attend to matters of this kind, to disavow any future tributary treaty with them. These pirates respect still less their treaty with Spain, and treat the Spaniards with an insolence greater than was usual before the treaty.

The scarcity of bread begins to lessen in the southern parts of France, where the harvest has commenced. Here it is still threatening, because we have yet two or three weeks to the beginning of harvest, and I think there has not been three day's provision beforehand in Paris, for two or three weeks past. Monsieur de Mirabeau, who is very hostile to M. Necker, wished to find a ground for censuring him in a proposition to have a great quantity of flour furnished from the United States, which he supposed me to have made to M. Necker, and to have been refused by him; and he asked time of the States General to furnish proofs. The Marquis de la Fayette immediately gave me notice of this matter, and I wrote him a letter to disavow having ever made any such proposition to M. Necker, which I desired him to communicate to the States. I waited immediately on M. Necker and

Monsieur de Montmorin, satisfied them that what had been suggested was absolutely without foundation from me, and indeed they had not needed this testimony. I gave them copies of my letter to the Marquis de la Fayette, which was afterwards printed. The Marquis, on the receipt of my letter, showed it to Mirabeau, who turned then to a paper from which he had drawn his information, and found he had totally mistaken it. He promised immediately that he would himself declare his error to the States General, and read to them my letter, which he did. I state this matter to you though of little consequence in itself, because it might go to you misstated in the English papers.

Our supplies to the Atlantic ports of France, during the months of March, April, and May, were only twelve thousand two hundred and twenty quintals, thirty-three pounds of flour, and forty-four thousand one hundred and fifteen quintals, forty pounds of wheat, in twenty-one vessels.

My letter of the 29th of June, brought down the proceedings of the States and government to the re-union of the orders, which took place on the 27th. Within the assembly, matters went on well. But it was soon observed that troops, and particularly the foreign troops, were on their march towards Paris from various quarters, and that this was against the opinion of M. Necker. The King was probably advised to this, under pretext of preserving peace in Paris and Versailles, and saw nothing else in the measure. But his advisers are supposed to have had in view, when he should be secured and inspired by the presence of the troops, to take advantage of some favorable moments, and surprize him into an act

of authority for establishing the declaration of the 23rd of June, and perhaps dispersing the States General, is probable. The Marshal de Broglie was appointed to command all the troops within the Isle of France, a high flying aristocrat, cool and capable of every thing. Some of the French guards were soon arrested under other pretexts, but in reality on account of their dispositions in favor of the national cause. The people of Paris forced the prison, released them, and sent a deputation to the States General to solicit a pardon. The States, by a most moderate and prudent *arrêté*, recommended these prisoners to the King, and peace to the people of Paris. Addresses came in to them from several of the great cities, expressing sincere allegiance to the King, but a determined resolution to support the States General. On the 8th of July, they voted an address to the King to remove the troops. This piece of masculine eloquence, written by Monsieur de Mirabeau, is worth attention on account of the bold matter it expresses and discovers through the whole. The King refused to remove the troops, and said they might remove themselves if they pleased, to Noyons or Soissons. They proceeded to fix the order in which they will take up the several branches of their future constitution, from which it appears they mean to build it from the bottom, confining themselves to nothing in their ancient form but a King. A declaration of rights, which forms the first chapter of their work, was then proposed by the Marquis de la Fayette. This was on the 11th. In the meantime troops, to the number of about twenty-five or thirty thousand, had arrived, and were posted in and between Paris and Versailles. The bridges and passes were guarded. At three

o'clock in the afternoon, the Count de la Luzerne was sent to notify M. Necker of his dismissal, and to enjoin him to retire instantly, without saying a word of it to any body. He went home, dined, proposed to his wife a visit to his friend, but went in fact to his country house at St. Ouen, and at midnight set out from thence for Brussels. This was not known till the next day, when the whole Ministry was changed, except Villedieuil of the domestic department, and Barentin, *garde des sceaux*. These changes were as follows: the Baron de Breteuil, President of the Council of Finance; and de la Galaisiere, Comptroller General in the room of M. Necker; the Marshal de Broglie, Minister of War; and Foulon under him, in the room of Puy-Segur; Monsieur de la Vauguyon, Minister of Foreign Affairs, instead of Monsieur de Montmorin; de la Porte, Minister of Marine, in place of the Count de la Luzerne; St. Priest was also removed from the Council. It is to be observed, that Luzerne and Puy Segur had been strongly of the aristocratical party in Council; but they were not considered as equal to bear their shares in the work now to be done. For this change, however sudden it may have been in the mind of the King, was, in that of his advisers, only the second chapter of a great plan, of which the bringing together the foreign troops had been the first. He was now completely in the hands of men, the principal among whom, had been noted through their lives for the Turkish despotism of their character, and who were associated about the King, as proper instruments for what was to be executed. The news of this change began to be known in Paris about one or two o'clock. In the afternoon, a body of about

one hundred German cavalry were advanced and drawn up in the *place Louis XV*, and about two hundred Swiss posted at a little distance in their rear. This drew the people to that spot, who naturally formed themselves in front of the troops, at first merely to look at them, but, as their numbers increased, their indignation arose; they retired a few steps, posted themselves on and behind large piles of loose stones, collected in that place for a bridge adjacent to it, and attacked the horse with stones. The horse charged, but the advantageous position of the people, and the showers of stones, obliged them to retire, and even to quit the field altogether (leaving one of their number on the ground.) The Swiss in their rear were observed never to stir. This was the signal for universal insurrection, and this body of cavalry, to avoid being massacred, retired towards Versailles. The people now armed themselves with such weapons as they could find in armourer's shops and private houses, and with bludgeons, and were roaming all night through all parts of the city, without any decided and practicable object. The next day the States pressed on the King to send away the troops, to permit the *Bourgeoisie* of Paris to arm for the preservation of order in the city, and offered to send a deputation from their body to tranquilize them. He refused all their propositions, and a committee of magistrates and electors of the city were appointed by their bodies, to take upon them its government. The mob, now openly joined by the French guards, forced the prison of St. Lazare, released all the prisoners, and took a great store of corn, which they carried to the corn market. Here they got some arms, and the French guards began to form and train them.

The city committee determined to raise forty-eight thousand Bourgeois, or rather to restrain their numbers to forty-eight thousand. On the 14th they sent one of their members (Monsieur de Corny, whom we knew in America) to the *Hotel des Invalides*, to ask arms for the *garde Bourgeoise*. He was followed by, or he found there a great mob. The Governor of the Invalids came out, and represented the impossibility of his delivering arms, without the orders of those from whom he received them. De Corny advised the people then to retire, and retired himself; and the people took possession of the arms. It was remarkable, that not only the Invalids themselves made no opposition, but that a body of five thousand foreign troops, encamped within four hundred yards, never stirred. Monsieur de Corny and five others were then sent to ask arms of Monsieur de Lamoignon, Governor of the Bastille. They found a great collection of people already before the place, and they immediately planted a flag of truce, which was answered by a like flag hoisted on the parapet. The deputation prevailed on the people to fall back a little, advanced themselves to make the demands of the Governor, and in that instant a discharge from the Bastille killed four people of those nearest to the Deputies. The Deputies retired; the people rushed against the place, and almost in an instant were in possession of a fortification, defended by one hundred men, of infinite strength, which, in other times had stood several regular sieges, and had never been taken. How they got in, has, as yet, been impossible to discover. Those who pretend to have been of the party, tell so many different stories, as to destroy the credit of them all. They took all the

arms, discharged the prisoners, and such of the garrison as were not killed in the first moment of fury, carried the Governor and Lieutenant Governor to the *Grève*, (the place of public execution,) cut off their heads, and sent them through the city in triumph to the palais royal. About the same instant, a treacherous correspondence having been discovered on Monsieur de Flesselles, *Prevost des Marchands*, they seized him in the Hotel de Ville, where he was in the exercise of his office, and cut off his head.

These events, carried imperfectly to Versailles, were the subject of two successive deputations from the States to the King, to both of which he gave dry and hard answers; for it has transpired, that it had been proposed and agitated in Council, to seize on the principal members of the States General, to march the whole army down upon Paris, and to suppress its tumults by the sword. But at night, the Duke de Liancourt forced his way into the King's bed chamber, and obliged him to hear a full and animated detail of the disasters of the day in Paris. He went to bed deeply impressed. The decapitation of de Launai, worked powerfully through the night, on the whole aristocratical party, in so much, that in the morning, those of the greatest influence on the Count d'Artois, represented to him the absolute necessity that the King should give up every thing to the States. This according well enough with the dispositions of the King, he went about eleven o'clock, accompanied only by his brother, to the States General, and there read to them a speech, in which he asked their interposition to re-establish order. Though this be couched in terms of some caution, yet the manner in which it was delivered,

made it evident that it was meant as a surrender at discretion. He returned to the chateau a foot, accompanied by the States. They sent off a deputation, the Marquis de la Fayette at their head, to quiet Paris. He had, the same morning, been named commandant-in-chief of the *Milice Bourgeoise*, and Monsieur Bailly, former President of the States General, was called for as *Prevost des Marchands*. The demolition of the Bastile was now ordered, and begun. A body of the Swiss guards of the regiment of Ventimille and the city horse guards, joined the people. The alarm at Versailles increased instead of abating. They believed that the aristocrats of Paris were under pillage and carriage, that one hundred and fifty thousand men were in arms, coming to Versailles to massacre the royal family, the Court, the Ministers, and all connected with them, by their practices and principles. The aristocrats of the nobles and clergy in the States General, vied with each other in declaring how sincerely they were converted to the justice of voting by persons, and how determined to go with the nation all its lengths. The foreign troops were ordered off instantly. Every Minister resigned. The King confirmed Bailly as *Prevost des Marchands*, wrote to M. Necker to recall him, sent his letter open to the States General, to be forwarded by them, and invited them to go with him to Paris the next day, to satisfy the city of his dispositions; and that night and the next morning, the Count d'Artois and a Monsieur de Montesson (a deputy connected with him) Madame Polignac, Madame de Guiche, and the Count de Vaudreuil, favorites of the Queen, the Abbé de Vermoni, her confessor, the Prince of Condé and the Duke de Bourbon, all fled, we know not whither. The King

came to Paris, leaving the Queen in consternation for his return. Omitting the less important figures of the procession, I will only observe, that the King's carriage was in the centre, on each side of it the States General in two ranks, a foot, and at their head the Marquis de la Fayette, as commander-in-chief, on horseback, and Bourgeoise guards before and behind. About sixty thousand citizens, of all forms and colors, armed with the muskets of the Bastille and Invalids, as far as they would go, the rest with pistols, swords, pikes, pruning hooks, scythes, &c., lined all the streets through which the procession passed, and, with the crowds of people in the streets, doors and windows; saluted them every where with cries of "*vive la nation*," but not a single "*vive le roi*," was heard. The King stopped at the Hotel de Ville. There M. Bailly presented and put into his hat the popular cockade and addressed him. The King being unable and unprepared to answer, Bailly went to him, gathered from him some scraps of sentences, and made out an answer which he delivered to the audience as from the King. On their return the popular cries were "*vive le roi et la nation*." He was conducted by a *Garde Bourgeoise* to his palace at Versailles, and thus concluded such an *amende honorable* as no sovereign ever made, and no people ever received. Letters written with his own hand, to the Marquis de la Fayette, remove the scruples of his position. Tranquillity is now restored to the capital; the shops are again opened; the people resuming their labors; and if the want of bread does not disturb our peace, we may hope a continuance of it. The demolition of the Bastille is going on, and the *Milice Bourgeoise* organizing and training. The ancient police

of the city is abolished by the authority of the people; the introduction of the King's troops will probably be proscribed, and a watch or city guards substituted, which shall depend on the city alone. But we cannot suppose this paroxysm confined to Paris alone. The whole country must pass successively through it, and happy if they get through it as soon and as well as Paris has done.

I went yesterday to Versailles, to satisfy myself what had passed there; for nothing can be believed but what one sees, or has from an eye witness. They believe there still, that three thousand people have fallen victims to the tumults of Paris. Mr. Short and myself have been every day among them, in order to be sure of what was passing. We cannot find, with certainty, that any body has been killed but the three beforementioned, and those who fell in the assault or defence of the Bastile. How many of the garrison were killed, nobody pretends to have ever heard. Of the assailants, accounts vary from five to six hundred. The most general belief is, that there fell about thirty. There have been many reports of instantaneous executions by the mob, on such of their body as they caught in acts of theft or robbery. Some of these may, perhaps, be true. There was a severity of honesty observed, of which no example has been known. Bags of money offered on various occasions through fear or guilt, have been uniformly refused by the mobs. The churches are now occupied in singing "*de profundis*" and "*requiems*," for the repose of the souls of the brave and valiant citizens, who have sealed with their blood the liberty of their nation. Monsieur de Montmorin is this day replaced in the department of foreign affairs, and Monsieur de St. Priest is

named to the home department. The gazettes of France and Leyden accompany this. I send also a paper (called the *Point de Jour*) which will give you some idea of the proceedings of the national assembly. It is but an indifferent thing ; however, it is the best.

I have the honor to be, &c.

TH: JEFFERSON.

July 21.

P. S. M. Necker had left Brussels for Frankfort, before the courier got there. We expect, however, to hear of him in a day or two. Monsieur le Comte de la Luzerne, has resumed the department of the marine this day. Either this is an office of friendship, effected by Monsieur de Montmorin (for, though they had taken different sides, their friendship continued) or he comes in as a stop gap till somebody else can be found. Though very unequal to his office, all agree that he is an honest man. The Count d'Artois was at Valenciennes. The Prince of Condé and Duke de Bourbon had passed that place.

T. J.



FROM THOMAS JEFFERSON TO JOHN JAY.

Paris, July 23, 1789.

Sir,

The bearer of my letter (a servant of Mr. Morris) not going off till to-day, I am enabled to add to their contents. The spirit of tumult seemed to have subsided, when, yesterday, it was excited again, by a particular

incident. Monsieur Foulon, one of the obnoxious Ministry, who, as well as his brethren had absconded, was taken in the country, and, as is said, by his own tenants, and brought to Paris. Great efforts were exerted by popular characters, to save him. He was at length forced out of the hands of the *Garde Bourgeoise*, hung immediately, his head cut off, and his body drawn through the principal streets of the city. The intendant of Paris, Monsieur de Chauvigny, accused of having entered into the designs of the same Ministry, has been taken at Compeigne, and a body of two hundred men, on horseback, have gone for him. If he be brought here, it will be difficult to save him. Indeed, it is hard to say, at what distance of time the presence of one of these Ministers, or of any of the most obnoxious of the fugitive courtiers, will not rekindle the same blood thirsty spirit. I hope it is extinguished as to every body else, and yesterday's example will teach them to keep out of its way. I add two other sheets of the *Point de Jour*, and have the honor to be, &c.

TH: JEFFERSON.

P. S. I just now learn, that Bertier de Chauvigny was brought to town last night, and massacred immediately.

FROM THOMAS JEFFERSON TO JOHN JAY.

Paris, July 29, 1793.

Sir,

I have written you lately, on the 24th of June, with a postscript of the 25th; on the 29th of the same month;

the 19th of July, with a postscript of the 21st; and again on the 23rd. Yesterday I received yours of the 9th of March, by the way of Holland.

M. Necker has accepted his appointment, and will arrive to-day from Switzerland, where he had taken refuge. No other Ministers have been named since my last. It is thought M. Necker will choose his own associates. The tranquillity of Paris has not been disturbed since the death of Foulon and Bertier, mentioned in my last. Their militia is in a course of organization. It is impossible to know the exact state of the supplies of bread. We suppose them low and precarious, because, some days we are allowed to buy but half or three-fourths of the daily allowance of our families. Yet, as the wheat harvest must begin within ten days or a fortnight, we are in hopes there will be subsistence found till that time. This is the only source from which I should fear a renewal of the late disorders; for I take for granted the fugitives from the wrath of their country, are all safe in foreign countries. Among these are numbered seven princes of the house of Bourbon, and six Ministers; the seventh (the Marshal de Broglio) being shut up in the fortified town of Metz, strongly garrisoned with foreign soldiers. I observed to you in a preceding letter, that the storm which had begun in Paris on the change of the Ministry, would have to pass over the whole country, and consequently would, for a short time, occasion us terrible details from the different parts of it. Among these, you will find a horrible one retailed from Vesoul, in Franche Compté. The atrociousness of the fact would dispose us rather to doubt the truth of the evidence on which it rests, however regular that appears. There

is no question, that a number of people were blown up, but there are reasons for suspecting that it was by accident, and not design. It is said the owner of the *chateau* sold powder by the pound, which was kept in the cellar of the house blown up; and it is possible some one of the guests may have taken this occasion to supply himself, and been too careless in approaching the mass. Many idle stories have also been propagated and believed here, against the English, as that they have instigated the late tumults with money, that they had taken or were preparing to take Cherbourg, Brest, &c.; and even reasonable men have believed, or pretended to believe, all these. The British Ambassador has thought it necessary to disavow them in a public letter, which you will find in one of the papers accompanying this.

I have lately had an opportunity of knowing, with certainty, the present state of the King of England. His recovery was slow; he passed through a stage of profound melancholy; but this has at length dissipated, and he is at present perfectly re-established. He talks now as much as ever, on the same trifling subjects, and has recovered even his habitual inquisitiveness into the small news of the families about. His health is also good, though he is not as fleshy as he used to be. I have multiplied my letters to you lately, because the scene has been truly interesting; so much so, that had I received my permission to pay my projected visit to my own country, I should have thought, and still think, it my duty to defer it a while. I presume it cannot now be long before I receive your definitive answer to my request. I send herewith the public papers, as usual, and have the honor to be, &c.

TH: JEFFERSON.

FROM THOMAS JEFFERSON TO JOHN JAY.

Paris, August 5, 1789.

Sir,

I wrote you on the 19th of the last month, with a postscript of the 21st, and on the 23d and 29th. These letters went by private conveyances. This goes by the London post. Since my last, some small and momentary tumults have taken place in this city, in one of which a few of the rioters were killed by the city militia. No more popular executions have taken place. The capture of the Baron de Besenval, commander of the Swiss troops, as he was flying to Switzerland, and of the Duke de la Vauguyon, endeavoring to escape by sea, would endanger new interpositions of the popular arm, were they to be brought to Paris. They are, therefore, confined where they were taken. The former of these being unpopular with the troops under his command, on account of oppressions, occasioned a deputation from their body to demand justice to be done him, and to avow the devotion of the Swiss troops to the cause of the nation. They had before taken side in part only. M. Necker's return contributed much to re-establish tranquillity, though not quite as much as was expected. His just intercessions for the Baron de Besenval and other fugitives, damped very sensibly the popular ardour towards him. Their hatred is stronger than their love.

Yesterday the other Ministers were named. The Archbishop of Bourdeaux is *Garde des Sceaux*, M. de la Tour Depin, Minister of War, the Prince of Beauvion is taken into the Council, and the *seigneur des bénéfices*, given to the Archbishop of Bourdeaux. These are all of the popular party; so that the minority, (M. de la Lu-

zerne excepted,) and the Council, being all in reformation principles, no further opposition may be expected from that quarter. The National Assembly now seriously set their hands to the work of the Constitution. They decided a day or two ago, the question, whether they should begin by a declaration of rights, by a great majority in the affirmative. The negatives were of the Clergy, who fear to trust the people with the whole truth. The declaration itself, is now on the carpet. By way of corollary to it, they last night mowed down a whole legion of abuses, as you will see by the heads of the *Arrêtés* which I have the honor to enclose you. This will stop the burning of *châteaux*, and tranquillize the country more than all the addresses they could send them. I expressed to you my fears of the impracticability of debate and decision in a room of one thousand and two hundred persons, as soon as M. Necker's determination to call that number was known. The inconveniences of their number have been distressing to the last degree, though, as yet, they have been employed in work which could be done in the lump. They are now proceeding to instruments, every word of which must be weighed with precision. Heretofore, too, they were hooped together by a common enemy. This is no longer the case. Yet a thorough view of the wisdom and rectitude of this assembly, disposes me more to hope they will find some means of surmounting the difficulty of their numbers, than to fear that yielding to the unmanageableness of debate in such a crowd, and to the fatigue of the experiment, they may be driven to adopt, in the gross, some one of the many projects which will be proposed.

There is a germ of schism in the pretensions of Paris, to form its municipal establishment, independently of the authority of the nation. It has not yet proceeded so far as to threaten danger. The occasion does not permit me to send the public papers, but nothing remarkable has taken place in the other parts of Europe.

I have the honor to be, &c.

THOMAS JEFFERSON.



FROM THOMAS JEFFERSON TO WILLIAM CARMICHAEL.

Paris, August 9, 1789.

Dear Sir,

Since your last, of March the 27th, I have only written that of May the 8th. The cause of this long silence on both parts, has been the expectation I communicated to you, of embarking for America. In fact, I have expected permission for this, every hour since the month of March, and, therefore, always thought, that by putting off writing to you a few days, my letter, while it should communicate the occurrences of the day, might be a letter of adieu. Should my permission now arrive, I should put off my departure till after the equinox. They write me that my not receiving it, had proceeded from the ceasing of the old government in October last, and the organization of the higher departments in the new, which had not yet taken place when my last letters came away. Bills had been brought in, for establishing departments of Foreign Affairs, Finance and War. The last would certainly be given to General Knox. Mr. Jay would probably have his choice of the first and second; and it

was supposed Hamilton would have that which Mr. Jay declined. Some thought Mr. Jay would prefer and obtain the head of the law department, for which, Wilson would be a competitor. In such a case, some have supposed C. Thompson would ask the foreign affairs. The Senate and Representatives differed about the title of the President. The former wanted to style him "His Highness, George Washington, President of the United States, and Protector of their liberties." The latter insisted and prevailed, to give no title but that of office, to wit: "George Washington, President of the United States." I hope the terms of Excellency, Honor, Worship, Esquire, will forever disappear from among us, from that moment. I wish that of Mr. would follow them. In the impost bill, the representatives had, by almost an unanimous concurrence, made a difference between nations in treaty with us, and those not in treaty. The senate had struck out this difference, and lowered all the duties. Query, whether the representatives would yield? Congress were to proceed, about the last of June, to propose amendments to the new constitution. The principal would be, the annexing a declaration of rights, to satisfy the minds of all, on the subject of their liberties. They waited the arrival of Brown, delegate from Kentucky, to take up the receiving that district as a fourteenth State. The only objections apprehended, were, from the partizans of Vermont, who might insist on both coming together. This would produce a delay, though probably not a long one.

To detail to you the events of this country, would require a volume. It would be useless too, because those given in the Leyden gazette, though not universally true,

have so few and such unimportant errors mixed with them, that you may give a general faith to them. I will rather give you, therefore, what that paper cannot give, the views of the prevailing power, as far as they can be collected from conversation and writings. They will distribute the powers of government into three parts, legislative, judiciary and executive. The legislative will certainly have no hereditary branch, probably not even a select one (like our Senate.) If they divide it into two chambers at all, it will be by breaking the representative body into two equal halves, by lot. But very many are for a single house, and particularly the Turgotists. The imperfection of their legislative body, I think, will be, that not a member of it will be chosen by the people directly. Their representation will be an equal one, in which every man will elect and be elected as a citizen, not as a distinct order. Query, whether they will elect placemen and pensioners? Their legislature will meet periodically, and set at their own will, with a power in the executive to call them extraordinarily, in case of emergencies. There is a considerable division of sentiment whether the executive shall have a negative on the laws. I think they will determine to give such a negative, either absolute or qualified. In the judiciary, the parliaments will be suppressed, less numerous judiciary bodies instituted, and trial by jury established in criminal, if not in civil cases. The executive power will be left entire in the hands of the King. They will establish the responsibility of Ministers, gifts and appropriations of money by the National Assembly alone; consequently a civil list, freedom of the press, freedom of religion, freedom

of commerce and industry, freedom of person against arbitrary arrests, and modifications, if not a total prohibition, of military agency in civil cases. I do not see how they can prohibit altogether, the aid of the military in cases of riot, and yet I doubt whether they can descend from the sublimity of ancient military pride, to let a Mareschal of France with his troops, be commanded by a magistrate. They cannot conceive that General Washington, at the head of his army, during the late war, could have been commanded by a common constable to go as his *posse comitatus*, to suppress a mob, and that Count Rochambeau, when he was arrested at the head of his army by a sheriff, must have gone to jail if he had not given bail to appear in court. Though they have gone astonishing lengths, they are not yet thus far. It is probable, therefore, that not knowing how to use the military as a civil weapon, they will do too much or too little with it.

I have said that things will be so and so. Understand by this, that these are only my conjectures, the plan of the constitution not being prepared yet, much less agreed to. Tranquillity is pretty well established in the capital, though the appearance of any of the refugees here would endanger it. The Baron de Besenval is kept away; so is M. de la Vaugnyon. The latter was so short a time a member of the obnoxious administration, that probably he might not be touched were he here. Seven princes of the house of Bourbon, and seven Ministers, fled into foreign countries, is a wonderful event indeed.

I have the honor to be, &c.

TH: JEFFERSON.

FROM THOMAS JEFFERSON TO JOHN JAY.

Paris, August 12, 1789.

Sir,

I wrote you on the 19th, 23rd, 29th of the last, and 5th of the present month. The last occasions not having admitted the forwarding to you the public papers, I avail myself of the present, by a gentleman going to London, to furnish you with them to the present date. It is the only use I can prudently make of the conveyance. I shall, therefore, only observe, that the National Assembly has been entirely occupied since my last, in developing the particulars which were the subjects of their resolutions of the 4th instant, of which I send you the general heads.

The city is as yet not entirely quieted. Every now and then summary execution is done on individuals, by individuals, and nobody is in condition to ask for what, and by whom. We look forward to the completion of the establishment of the city militia, and that which is to restore protection to the inhabitants. The details from the country are as distressing as I had apprehended they would be. Most of them are doubtless false, but many may still be true. Abundance of *chateaux* are certainly burnt and burning, and not a few lives sacrificed. The worst is probably over in this city; but I do not know whether it is so in the country, nothing important has taken place in the rest of Europe.

I have the honor to be, &c.

TH: JEFFERSON.

FROM JOHN JAY TO THOMAS JEFFERSON.

New York, June 19, 1789.

I have at length, my dear sir, the pleasure to inform you, (though not officially,) that you have leave to return, and that Mr. Short is appointed to take charge of the public affairs during your absence.

From the time that your letter of the 19th November last was received, viz: 10th February, to the time that our former government gave place to the present one, there was not a single day on which so many States were represented in the late Congress, as were necessary to make a house.

Directly after the President came into office, I communicated to him your request. It was the general opinion that the appointments under the late government expired at that period, and, therefore, that the heads of the different departments were not in capacity to proceed without a new conveyance of authority. It was expected that the different offices would, without delay, be established, and the business of them put in train. These circumstances retarded a decision on your request.

Although the departments still remain in the same state, yet the President, on the 16th instant, informed the Senate that he had complied with your request, and that he nominated Mr. Short on the 17th. I attended the Senate on the subject, and yesterday they came to a resolution in the following words, viz :

“ In Senate, Thursday, 18th June, 1789.

“ *Resolved*, That the President of the United States
“ be informed, that the Senate advise and consent to his
“ appointment of William Short, Esquire, to take charge

“of our affairs at the Court of France, during the absence of the Minister Plenipotentiary at that Court.”

For some days past the President has been indisposed with a headache, attended with fever. This morning I went to his house to communicate the resolution to him, and receive his orders on the subject. He is better, but his physicians thought it best that for the present, no applications should be made to him on public affairs of any kind. Consequently, the business in question must be postponed.

Until the office for foreign affairs is established, the papers and despatches proper on the occasion, cannot be completed and transmitted. When I consider how long you have waited for the result of your application, and the sensations which repeated disappointments must have occasioned, I cannot forbear thus informally to acquaint you with the preceding facts, and to mention to you, as my opinion, that you may venture to return; and that the earliest opportunity will be taken of transmitting to Mr. Short the necessary papers. I mean to send you copies of this letter by various routes, and sincerely wish that it may arrive seasonably, and that I may have the pleasure of congratulating you on your arrival here early in the autumn. With the best wishes, and my sincere esteem and regard, I am, &c.

JOHN JAY.



FROM THOMAS JEFFERSON TO JOHN JAY.

Paris, August 27, 1789.

Sir,

I am honored with your favor of June 19th, informing me that permission is given me to make a short visit to

my native country, for which indulgence I beg leave to return my thanks to the President and to yourself, sir, for the expedition with which you were so good as to forward it, after it was obtained. Being advised that October is the best month of autumn for a passage to America, I shall wish to sail about the first of that month, and as I have a family with me, and their baggage is considerable, I must endeavor to find a vessel bound directly for Virginia, if possible.

My last letters to you have been of the 5th and 12th instant. Since these, I received information from our bankers in Holland, that they had money in hand sufficient to answer the demands for the foreign officers, and for the captives; and that, moreover, the residue of the bonds of the last loan were engaged. I, hereupon, wrote to M. Grand for an exact estimate of the sum necessary for the officers. He had stated it to me as being forty-five thousand six hundred and fifty-two livres, eleven sous, six deniers, a year, when I was going to Holland to propose the loan to Mr. Adams, and at that sum, you will see it was stated in the estimate we sent you from Amsterdam. He now informs me it was sixty thousand, three hundred and ninety-three livres, seventeen sous, ten deniers, a year. I called on him for an explanation. He shewed me that his first information agreed with the only list of the officers and sums then in his possession, and his last with a new list lately sent from the treasury board, in which other officers were set down, who had been omitted in the first. I wrote to our bankers an account of this error, and desired to know whether, after receiving the money necessary for the captives, they were in condition to furnish two hundred

and fifty-four thousand livres for the officers. They answered me by sending the money, and the additional sum of twenty-six thousand livres, to complete the business of the medals. I delivered the bills to Messrs. Grand and company, to negotiate and pay away; and the arrears to the officers to the first day of the present year, are now in a course of payment. While on this subject, I will ask that an order may be forwarded to the bankers in Holland, to furnish, and to M. Grand, to pay, the arrearages which may be due on the first of January next. The money being in hand, it would be a pity that we should fail in payment a single day, merely for want of an order. The bankers further give it as their opinion, that our credit is so much advanced on the exchange of Amsterdam, that we may probably execute any money arrangements we may have occasion for on this side the water. I have the honor to send you a copy of their letter. They have communicated to me apprehensions, that another house was endeavoring to obtain the business of our government. Knowing of no such endeavors myself, I have assured them that I am a stranger to any applications on the subject. At the same time, I cannot but suspect that this jealousy has been one of the spurs at least, to the prompt completion of our loan. The spirited proceedings of the new Congress in the business of revenue, has doubtless been the principal one.

An engagement has taken place between the Russian and Swedish fleets in the Baltic, which has been not at all decisive, no ship having been lost on either side. The Swedes claim a victory, because they remained in the field till the Russians quitted it. The latter effected a

junction soon after with another part of their fleet, and being now about ten ships strongest, the Swedes retired into port, and it is imagined they will not appear again under so great disparity ; so that the campaign by sea is supposed to be finished. Their commerce will be at the mercy of their enemies ; but they have put it out of the power of the Russians to send any fleet to the Mediterranean this year.

A revolution has been effected very suddenly in the bishoprick of Liege. Their constitution had been changed by force, by the reigning sovereign, about one hundred years ago. This subject has been lately revived and discussed in print. The people were at length excited to assemble tumultuously. They sent for their Prince, who was at his country seat, and required him to come to the town house to hear their grievances. Though in the night, he came instantly, and was obliged to sign a restitution of their ancient constitution, which took place on the spot, and became quiet without a drop of blood spilt. This fact is worthy notice, only as it shews the progress of the spirit of revolution.

No act of violence has taken place in Paris since my last, except on account of the difference between the French and the Swiss guards, which gave rise to occasional single combats, in which five or six were killed. The difference is made up. Some misunderstandings had arisen between the committees of the different districts of Paris, as to the form of the future municipal government. These gave uneasiness for a while, but have been also reconciled. Still there is such a leaven of fermentation remaining in the body of the people, that acts of violence are always possible, and are quite unpunish-

ble; there being, as yet, no judicature which can venture to act in any case, however small or great. The country is becoming more calm. The embarrassments of the government, for want of money, are extreme. The loan of thirty millions, proposed by M. Necker, has not succeeded at all. No taxes are paid. A total stoppage of all payments to the creditors of the State is possible every moment. These form a great mass in the city as well as country, and among the lower class of people too, who have been used to carry their little savings of their service into the public funds, upon life rents of five, ten, twenty guineas a year, and many of whom have no other dependence for daily subsistence. A prodigious number of servants are now also thrown out of employ by domestic reforms, rendered necessary by the late events. Add to this the want of bread, which is extreme. For several days past, a considerable proportion of the people have been without bread altogether; for though the new harvest is begun, there is neither water nor wind to grind the grain. For some days past the people have besieged the doors of the bakers, scrambled with one another for bread, collected in squads all over the city, and need only some slight incident to lead them to excesses which may end in nobody can tell what. The danger from the want of bread, however, which is the most imminent, will certainly lessen in a few days. What turn that may take, which arises from the want of money, is difficult to be foreseen. M. Necker is totally without influence in the National Assembly, and, as I believe, not satisfied with this want of importance. That assembly has just furnished their bill of rights. The question will then be, whether to take up first the constitution or the business of finance.

No plan of a constitution has been yet given in. But I can state to you the outlines of what the leading members have in contemplation. The executive power in an hereditary King, with power of dissolving the legislature, and a negative in their laws; his authority in forming treaties to be greatly restrained. The legislative to be a single house of representatives, chosen for two or three years. They propose a body, whom they call a senate, to be chosen by the provincial assemblies, as our federal senate is, but with no power of negating or amending laws; they may only remonstrate on them to the representatives, who will decide by a simple majority the ultimate event of the law. This body will, therefore, be a mere council of revision. It is proposed, that they shall be of a certain age and property, and be for life. They may make them, also, their court of impeachment. They will suppress the parliaments, and establish a system of judicature somewhat like that of England, with trial by jury in criminal cases, perhaps also in civil. Each province will have a subordinate provincial government, and the great cities, a municipal one, on a free basis. These are the ideas and views of the most distinguished members. But they may suffer great modifications from the assembly, and the longer the delay, the greater will be the modifications. Considerable interval having taken place since any popular execution, the aristocratic party is raising its head. They are strengthened by a considerable defection from the patriots, in consequence of the general suppression of the abuses, of the 4th of August, in which many were interested. Another faction too, of the most desperate views, has acquired strength in the assembly, as well as out of

it. These wish to dethrone the reigning branch, and transfer the crown to the Duke d'Orleans. The members of this faction are mostly persons of wicked and desperate fortunes, who have nothing at heart but to pillage from the wreck of their country. The Duke himself is as unprincipled as his followers; sunk into debaucheries of the lowest kind, and incapable of quitting them for business; not a fool, yet not head enough to conduct any thing. In fact, I suppose him used merely as a tool, because of his immense wealth, and that he acquired a certain degree of popularity by his first opposition to the government, then credited to him as upon virtuous motives. He is certainly borrowing money on a large scale. He is in understanding with the Court of London, where he had been long on habits of intimacy. The ministry here are apprehensive, that that ministry will support his designs by war. I have no idea of this, but no doubt, at the same time, that they will furnish him money liberally to aliment a civil war, and prevent the regeneration of this country.

It was suggested to me some days ago, that the Court of Versailles were treating with that of London, for a surrender of their West India possessions, in consideration of a great sum of money to relieve their present distress. Every principle of common sense was in opposition to this fact, yet it was so affirmed as to merit inquiry. I became satisfied the government had never such an idea, but that the story was not without foundation altogether; that something like this was in contemplation between the faction of Orleans and the Court of London, as a means of obtaining money from that Court. In a conversation with the Count de Montmorin, two

days ago, he told me their colonies were speaking a language which gave them uneasiness, and for which there was no foundation. I asked him if he knew any thing of what I had just mentioned. He appeared unapprized of it, but to see at once that it would be a probable speculation between two parties circumstanced and principled as those two are. I apologized to him for the inquiries I had made in this business, by observing that it would be much against our interest, that any one power should monopolize all the West India Islands. "*Pardi assurément*," was his answer.

The *emancipation* of their Islands is an idea prevailing in the minds of several members of the National Assembly, particularly those most enlightened and most liberal in their views. Such a step by this country, would lead to other emancipations or revolutions in the same quarter. I enclose you some papers, received from Mr. Carmichael, relative to the capture of one of our vessels by a Morocco cruiser, and restitution by the Emperor. I shall immediately write to M. Chiappe, to express a proper sense of the Emperor's friendly dispositions to us. I forward, also, the public papers to the present date; and have the honor to be, &c.

TH: JEFFERSON.

FROM THOMAS JEFFERSON TO JOHN JAY.

Paris, September 19, 1789.

Sir,

I had the honor of addressing you on the 30th of the last month. Since that, I have taken the liberty of consigning to you a box of officers' muskets, containing

half a dozen, made by the person and on the plan, which I mentioned to you in a letter which I cannot turn to at this moment, but I think it was of the year 1785. A more particular account of them you will find in the enclosed copy of a letter which I have written to General Knox. The box is marked T. J. No. 36, is gone to Havre, and will be forwarded to you by the first vessel bound to New York, by Mr. Nathaniel Cutting, an American gentleman, establishing himself there.

Recalling to your mind the account I gave you of the number and size of ships fitted out by the English last year, for the northern whale fishery, and comparing with it, what they have fitted out this year for the same fishery, the comparison will stand thus.

Years.	Vessels.	Tons.	Men.
1788.	255	75,436	10,710
1789.	178	51,473	7,476
Difference	77	23,963	3,234

By which you will perceive, that they have lost a third of that fishery in one year, which I think almost entirely if not quite, ascribable to the shutting the French ports against their oil. I have no account of their southern fishery of the present year.

As soon as I was informed that our bankers had the money ready for the redemption of our captives, I went to the General of the order of the Holy Trinity, who retained all his dispositions to aid us in that business. Having a very confidential agent at Marseilles, better acquainted than himself with the details, he wrote to him for his opinion and information on the subject. I enclose

you a copy of his answer, the original of which was communicated to me. I thereupon have authorized the General to go as far as three thousand livres a head for our captives, and for this purpose, to adopt the plan proposed of sending one of his own religion at our expense, (which will be small) or any other plan he thinks best. The honesty and goodness of his character places us in safety in his hands. To leave him without any hesitation in engaging himself for such a sum of money, it was necessary to deposit it in a banker's hands here. M. Grand's were agreeable to him, and I have therefore desired our banker at Amsterdam to remit it here. I do not apprehend in the progress of the present revolution, any thing like a general bankruptcy, which should pervade the whole class of bankers. Were such an event to appear imminent, the excessive caution of the house of Grand and company, establishes it in the general opinion as the last that would give way, and consequently would give time to withdraw this money from their hands. Mr. Short will attend to this, and will withdraw the money on the first well founded appearance of danger. He has asked me what he shall do with it? Because is evident that when Grand cannot be trusted, no other individual at Paris can, and a general bankruptcy can only be the effect of such disorders as would render every private house an insecure deposit. I have not hesitated to say to him, in such an event, "pay it to the government." In this case, it becomes only a change of destination and no loss at all. But this has passed between us for greater caution only, and on the worst case supposable: for though a suspension of payment by government might affect the bankers a little, I doubt if any of

them have embarked so much in the hands of government as to endanger failure, and especially as they have had such long warning.

You will have known, that the ordinance passed by M. de Chillon, in St. Domingo, for opening ports to our importations in another part of the island, was protested against by Marbois. He had always led the Count de la Luzerne by the nose, while Governor of that island. Marbois' representations, and Luzerne's prepossessions against our trade with their colonies, occasioned him, as Minister of that department, not only to reverse the ordinance, but to recall Chillon, and send out a successor. Chillon has arrived here, and having rendered himself very popular in the islands, their deputies in the National Assembly have brought the question before them. The Assembly has done nothing more as yet, than to appoint a committee of inquiry. So much of Chillon's ordinance as admitted the importation of our provisions, is continued for a time. M. de Marbois too, is recalled, I know not why or how. M. de la Luzerne's conduct will probably come under view only incidentally to the general question urged by the colony deputies, whether they shall not be free in future, to procure provisions where they can procure them cheapest? But the deputies are disposed to treat M. de la Luzerne roughly. This, with the disgrace of his brother, the bishop de Langres, turned out of the Presidentship of the National Assembly, for partiality in office to the aristocratic principles, and the disfavor of the Assembly towards M. de la Luzerne himself, as having been formerly of the *plot* (as they call it) with Breteuil and Broglio, will probably occasion him to be out of office soon.

The Treasury Board have no doubt attended to the necessity of giving timely orders for the payment of the February interest at Amsterdam. I am well informed that our credit is now the first at that exchange, (England not borrowing at present.) Our five per cent. bonds have risen to ninety-seven and ninety-nine. They have been heretofore at ninety-three. There are at this time, several companies and individuals here, in England and Holland, negotiating to sell large parcels of our *liquidated debts*. A bargain was concluded by one of these the other day, for six hundred thousand dollars. In the present state of our credit, every dollar of this debt will probably be transferred to Europe within a short time.

September the 20th.—The combination of bankers and other ministerial tools, had led me into the error (when I wrote my last letter) into which they had led most people, that the loan lately opened here went on well. The truth is, that very little has been borrowed, perhaps not more than six or eight millions. The King and his Ministers were yesterday to carry their plate to the mint. The ladies are giving up their jewels to the National Assembly. A contribution of plate in the time of Louis XV, is said to have carried about eight millions to the treasury. Plate is much more common now, and therefore, if the example prevail now in the same degree it did then, it will produce more. The contribution of jewels will hardly be general, and will be unproductive. M. Necker is, on the 25th, to go to the Assembly to make some proposition. The hundredth penny is talked of.

The Assembly proceeds slowly in the forming their

constitution. The original vice of their numbers causes this, as well as a tumultuous manner of doing business. They have voted that the elections of the legislature shall be biennial, that it shall be a single body; but they have not yet decided what shall be its number, or whether they shall be all in one room, or in two, (which they call a division into sections.) They have determined that the King shall have a *suspensive and iterative veto*; that is, that after negating a law, it cannot be presented again till after a new election. If he negatives it then, it cannot be presented a third time till after another new election. If it be then presented, he is obliged to pass it. This is perhaps justly considered as a more useful negative than an absolute one, which a King would be afraid to use. M. Necker's influence with the Assembly is nothing at all. Having written to them, by order of the King, on the subject of the veto, before it was decided, they refused to let his letter be read. Again, lately, when they desired the sanction of the King to their proceedings of the 4th of August, he wrote, in the King's name, a letter to them, remonstrating against an immediate sanction of the whole; but they persisted, and the sanction was given. His disgust at this want of influence, together with the great difficulties of his situation, make it believed that he is desirous of resigning. The public stocks were extremely low the day before yesterday. The *caisse d'escompte*, at three thousand six hundred and forty, and the loan of one hundred and twenty-five millions, of 1784, was at fifteen per cent. loss. Yesterday they rose a little. The sloth of the Assembly (unavoidable from their number) has done the most sensible injury to the public cause. The pa-

tience of a people who have less of that quality than any other nation in the world, is worn thread bare. Time has been given to the aristocrats to recover from their panic, to cabal, to sow dissensions in the Assembly, and distrust out of it. It has been a misfortune, that the King and aristocracy together, have not been able to make a sufficient resistance, to hoop the patriots in a compact body. Having no common enemy of such force as to render their union necessary, they have suffered themselves to divide. The Assembly now consists of four distinct parties. 1. The aristocrats, comprehending the higher members of the clergy, military, nobility, and the parliaments of the whole kingdom. This forms a head without a body. 2. The moderate royalists, who wish for a constitution nearly similar to that of England. 3. The republicans, who are willing to let their first magistracy be hereditary, but to make it very subordinate to the legislature, and to have that legislature consist of a single chamber. 4. The faction of Orleans. The second and third descriptions are composed of honest, well meaning men, differing in opinion only, but both wishing the establishment of as great a degree of liberty as can be preserved. They are considered, together, as constituting the patriotic part of the Assembly, and they are supported by the soldiery of the army, the soldiery of the clergy, that is to say the curés and monks, the dissenters, and part of the nobility, which is small, and the substantial *Bourgeois* of the whole nation. The part of these, collected in the cities, have formed themselves into municipal bodies, have chosen municipal representatives, and have organized an armed corps, considerably more numerous in the whole than the regular army.

They have, also, the ministry, such as it is, and as yet the King. Were the second and third parties, or rather these sections of the same party, to separate entirely, this great mass of power and wealth would be split, nobody knows how. But I do not think they will separate, because they have the same honest views; because, each being confident of the rectitude of the other, there is no rancor between them; because they retain the desire of coalescing. In order to effect this, they not long ago proposed a conference, and desired it might be at my house, which gave me an opportunity of judging of their views. They discussed together their points of difference for six hours, and in the course of discussion agreed on mutual sacrifices. The effect of this agreement has been considerably defeated by the subsequent proceedings of the Assembly, but I do not know that it has been through any infidelity of the leaders, to the compromise they had agreed on. Another powerful bond of union between these two parties, is our friend the Marquis de la Fayette. He left the Assembly while they as yet formed but one party. His attachment to both is equal, and he labors incessantly to keep them together. Should he be obliged to take part against either, it will be against that, which shall first pass the Rubicon of conciliation with the other. I should hope, in this event, that his weight would be sufficient to turn the scale decidedly in favor of the other. His command of the armed militia of Paris, (thirty thousand in number, and comprehending the French guards, who are five thousand regulars,) and his influence with the municipality, would secure their city. And though the armed militia and municipalities of the other cities are in no wise subordinate to those of

Paris, yet they look up to them with respect, and look particularly to the Marquis de la Fayette, as leading always to the rights of the people. This turn of things is so probable, that I do not think either section of the patriots will venture on any act, which will place themselves in opposition to him.

This being the face of things, troubled as you will perceive, civil war is much talked of and expected, and this talk and expectation has a tendency to beget it. What are the events which may produce it? 1. The want of bread, were it to produce a commencement of disorder, might ally itself to more permanent causes of discontent, and thus continue the effect beyond its first cause. The scarcity of bread, which continues very great amidst a plenty of corn, is an enigma which can be solved only by observing, that the furnishing the city is in the new municipality, not yet masters of their trade. 2. A public bankruptcy. Great numbers of the lower, as well as the higher, classes of the citizens, depend for subsistence on their property in the public funds. 3. The absconding of the King from Versailles. This has for some time been apprehended as possible. In consequence of this apprehension, a person whose information would have weight, wrote to the Count de Montmorin, adjuring him to prevent it by every possible means, and assuring him that the flight of the King would be the signal of a St. Barthélemy against the aristocrats in Paris, and perhaps through the kingdom. M. de Montmorin shewed the letter to the Queen, who assured him solemnly that no such thing was in contemplation. His shewing it to the Queen, proves he entertained the same mistrust with the public. It may be asked, what is the Queen disposed to do in the present situation of things? What-

ever rage, pride and fear, can dictate in a breast which never knew the presence of one moral restraint.

Upon the whole, I do not see it as yet probable that any actual commotion will take place; and if it does take place, I have strong confidence, that the patriotic party will hold together, and their party in the nation be what I have described it. In this case, there would be against them the aristocracy and the faction of Orleans. This consists, at this time, of only the Catalines of the Assembly, and some of the lowest descriptions of the mob. Its force, *within the kingdom*, must depend on how much of this last kind of people it can debauch with money from its present bias to the right cause. This bias is as strong as any one can be, in a class which must accept its bread from him who will give it. Its resources *out of the kingdom* are not known. Without doubt, England will give money to produce and feed the fire, which should consume this country; but it is not probable she will engage in open war for that. If foreign troops should be furnished, it would be most probably by the King of Prussia, who seems to offer himself as the bull-dog of tyranny to all his neighbors. He might, too, be disturbed by the contagion of the same principles gaining his own subjects, as they have done those of the Austrian Netherlands, Leige, Cologne and Hesse Cassel. The army of the latter Prince, joining with his subjects, are said to have possessed themselves of the treasures he had amassed, by hiring troops to conquer us, and by other iniquities. Fifty-four millions of livres is the sum mentioned. But all these means external and internal, must prove inadequate to their ultimate object, if the nation be united as it is at present. Expecting, within a few days, to leave Paris, and that this

is my last letter on public subjects, I have indulged myself in giving you a general view of things, as they appear to me at the time of my leaving them. Mr. Short will have the honor of continuing the narration, and of correcting it, where circumstances unknown or unforeseen may give a different turn to events.

I have the honor to be, &c.

TH: JEFFERSON.

FROM THOMAS JEFFERSON TO JOHN JAY.

Havre, September 30, 1789.

Dear Sir,

No convenient ship having offered from any port of France, I have engaged one from London to take me up at Cowes, and am so far on my way thither. She will land me at Norfolk, and as I do not know any service that would be rendered by my repairing immediately to New York, I propose, in order to economize time, to go directly to my own house, get through the business which calls me there, and then repair to New York, where I shall be ready to re-embark for Europe. But should there be any occasion for government to receive any information I can give, immediately on my arrival, I will go to New York on receiving your orders at Richmond. They may probably be there before me, as this goes by Mr. Trumbul, bound directly for New York. I enclose you herewith the proceedings of the National Assembly on Saturday last, wherein you will perceive that the committee had approved the plan of M. Necker, I can add from other sure information received here, that the Assembly adopted it the same evening. This plan may

possibly keep their payments alive till their new government gets into motion; though I do not think it very certain. The public stocks lowered so exceedingly the last days of my stay at Paris, that I wrote to our bankers at Amsterdam, to desire they would retain till further orders the thirty thousand guilders, or so much of it as had not yet come on. And as to what might be already coming on, I recommended to Mr. Short to go and take the acceptance himself, and keep the bill in his own hands till the time of payment. He will by that time see what is best to be done with the money.

In taking leave of Monsieur de Montmorin, I asked him whether their West India ports would continue open to us a while. He said they would be immediately declared open till February, and we may be sure they will be so till the next harvest. He agreed with me, that there would be two or three months provision for the whole kingdom wanting for the ensuing year. The consumption of bread for the whole kingdom, is two millions of livres tournois, a day. The people pay the real price of their bread every where, except at Paris and Versailles. There the price is suffered to vary very little as to them, and government pays the difference. It has been supposed, that this difference for some time past, has cost a million a week. I thought the occasion favorable to propose to Monsieur de Montmorin the free admission of our salted provisions, observing to him, particularly, that our salted beef from the Eastern States, could be dealt out to the people of Paris for five or six sous the pound, which is but half the common price they pay for fresh beef; that the Parisian paying less for his meat, might pay more for his bread, and so relieve government from its enormous loss on that article. His

idea of this resource seemed unfavorable. We talked over the objections of the supposed unhealthiness of that food, its tendency to produce scurvy, the chance of its taking with a people habituated to fresh meat, their comparative qualities of rendering vegetables eatable, and the interests of the *gabelles*. He concluded with saying, the experiment might be tried, and with desiring me to speak with Mr. Necker. I went to Mr. Necker, but he had gone to the National Assembly. On my return to Paris, therefore, I wrote to him on the subject, going over the objections which Monsieur de Montmorin had started. Mr. Short was to carry the letter himself, and to pursue the subject.

Having observed that our commerce to Havre is considerably on the increase, and that most of our vessels coming there, and especially those from the eastward, are obliged to make a voyage round the neighborhood of the Loire and Garonne, for salt, a voyage attended with expence, delay and more risk, I have obtained from the Farmers General, that they shall be supplied from their magazines at Honfleur, opposite to Havre, at a mercantile price. They fix it at present at sixty livres the *muid*, which comes to about fifteen sous, or seven and a half pence sterling our bushel ; but it will vary as the price varies at the place from which they bring it. As this will be a great relief to such of our vessels coming to Havre, as might wish to take back salt, it may, perhaps, be proper to notify it to our merchants. I enclose you, herewith, Mr. Necker's discourse to the Assembly, which was not printed till I left Paris ; and have the honor to be, &c.

TH: JEFFERSON.



THE
CORRESPONDENCE
OF
JOHN ADAMS,
ONE OF THE COMMISSIONERS FOR THE FORMATION OF
TREATIES OF AMITY AND COMMERCE AND MIN-
ISTER PLENIPOTENTIARY TO ENGLAND,
WITH
THE ANSWERS OF JOHN JAY,
SECRETARY FOR FOREIGN AFFAIRS.

FROM JOHN ADAMS, MINISTER PLENIPOTENTIARY, TO HIS
EXCELLENCY THE PRESIDENT OF CONGRESS.

London, November 9, 1783.

Sir,

About the 14th of September I was seized at Paris with a fever, which proved to be a dangerous one, and brought me very low, so that I was unable to attend to any business for some time. On the 20th of October, in pursuance of the advice of my friends, I set out from Auteuil, a village in the neighborhood of Passy, for London, which city I reached by slow journeys, the 26th. I found my strength increase as I advanced, and my health is so much improved that I am persuaded the last sickness has been of service to me, having never enjoyed, since my great sickness at Amsterdam, so good health as at present. Mr. Jay had set off for London about ten days before me, and since my arrival, we have

been much together, and have found every thing agreeable, notwithstanding the innumerable, and incessant lies and nonsense of the newspapers.

As I came here in a private capacity altogether, I have not visited any one of the Ministers, nor any one of the foreign Ambassadors, and I am inclined to think, upon the whole, that I shall not, unless we should receive the commission to treat of commerce, which Congress resolved on, the first of last May, while I stay here.

The whig part of the present administration are much embarrassed with the tory part and their refugees: so that the spirit of the present administration, I must in duty say, is not so friendly to the United States as it ought to be; for want of powers, however, we can reduce nothing to a certainty. We expect every day to receive our commission and instructions.

Mr. Hartley thinks himself empowered to finish the business with us, by his former commission. The ministry are of the same opinion; and it is no doubt true, so that as soon as our commission and instructions arrive we shall enter upon the conferences. But whether we shall go to Paris, or Doctor Franklin will come here, at present I know not. The negotiation, I am persuaded, would succeed better here than at Paris.

I have the honor to be, &c.

JOHN ADAMS.

FROM JOHN ADAMS TO THE PRESIDENT OF CONGRESS.

London, Nov. 13, 1783.

Sir,

If any one should ask me what is the system of the present administration, I should answer, "to keep their places." Every thing they say or do, appears evidently calculated to that end, and no ideas of public good, no national object, is sufficient to interfere with it.

In order to drive out Shelburne, they condemned his peace, which all the whig part of them would have been very glad to have made, and have gloried in the advantages of it. In order to avail themselves of the old habits and prejudices of the nation, they now pretend to cherish the principles of the navigation act, and the King has been advised to recommend this in his speech, and the Lords have recommended it in very strong terms.

The coalition appears to stand on very strong ground, the Lords and great Commoners, who compose it, count a great majority of ——— members of the House of Commons, who are returned by themselves, every one of whom is a dead vote. They are endeavoring to engage the Bedford interest with them, in order to strengthen themselves still more, by persuading Thurlow to be again Chancellor, and Mr. Pitt, whose personal popularity and family weight with the nation is very desirable for them, is tempted with the place of Chancellor of the Exchequer, which Lord John Cavendish, from mere aversion to business, wishes to resign.

While they are using such means to augment their strength, they are manifestly intimidated at the sight of those great national objects, which they know not how

to manage. Ireland is still in a state of fermentation, throwing off the admiralty, post office, and every other relic of British parliamentary authority, and contending for a free importation of their woolen manufactures into Portugal, for the trade to the East Indies, to the United States of America, and all the rest of the world, in as ample manner as the English enjoy these blessings. The Irish volunteers are also contending for a parliamentary reform, and a more equal representation in their House of Commons, and are assembling, by their delegates, in a Congress at Dublin, to accomplish it. This rivalry of Ireland is terrible to the Ministry; they are supposed to be at work to sow jealousies and divisions between the Protestants and Catholics in Ireland.

The East Indies exhibit another scene which will be formidable to the Ministers. Here centre the hopes of England, and it is certain that no system can be pursued, which will give universal satisfaction. Some require the government to take that whole country into their own hands; others demand aids in cash, and troops to the company. Opposition will be first formed probably upon Indian affairs.

Public credit is the greatest object of all. The necessary annual expense, comprehending the interest of the whole national debt, funded and unfunded, and the peace establishment, will amount to near seventeen millions. The annual receipts of taxes have never yet amounted to thirteen millions. Here will be a deficiency then of near four millions a year, which will render an annual loan necessary, until the debt will be so increased, and the stock so sunk, that no man will lend his money. The judicious call upon Ministers for a remedy, and will embar-

ness with their reproaches; but the stock jobbers are more numerous than the judicious, and more noisy. These live upon loans, and as long as Ministers borrow twelve millions a year, and employ the stock jobbers to raise it, however certainly the measure tends to ruin, their clamors will be for Ministers. An enormous loan is the most popular thing a statesman can undertake; so certain is the bankruptcy of this country; opposition will declaim upon this topic, but will make no impression.

The United States of America are another object of debate. If an opposition shall be formed, and concerted, I presume that one fundamental of it will be a liberal conduct towards us. They will be very profuse in professions of respect and esteem and affections for us; will pretend to wish for measures which may throw a veil over the past, and restore, as much as possible, the ancient good will. They will be advocates for some freedom of communication with the West Indies, and for our having an equitable share of that carrying trade, &c.

Administration, on the other hand, I am confident will, with great difficulty, be persuaded to abandon the mean contemptible policy which their proclamations exhibit.

In my humble opinion, the only suitable place for us to negotiate the treaty in, is London. Here, with the most perfect politeness to the Ministry, we may keep them in awe. A visit to a distinguished member of the opposition, even if nothing should be said at it, would have more weight with Ministers than all our arguments. Mr. Jay is, I believe, of the same opinion. But we shall not conduct the negotiation here, unless Doctor Franklin should come over. Indeed, if Congress should join us in a commission to treat with other powers, in my opin-

ion, we might conduct the business better here than in Paris. I shall, however, cheerfully conform to the sentiments of my colleagues.

The delay of the commission is to me a great embarrassment; I know not whether to stay here, return to Paris, or the Hague, I hope every moment to receive advices from Congress, which will resolve me.

I received yesterday a letter from Mr. Hartley, with the compliments of Mr. Fox, and that he should be glad to see me, proposing the hour of eleven to-day; which I have agreed to. Mr. Jay saw him one day this week. Mr. Jay made him and the Duke of Portland a visit on his first arrival, they were not at home. But he never heard from them until my arrival, ten days or a fortnight after; informed of this, I concluded not to visit them, and did not, but after a very long time, and indeed after Mr. Hartley's return from Bath, messages have been sent to Mr. Jay and me, that Mr. Fox would be glad to see us. It is merely for form and to prevent a cry against him in Parliament for not having seen us, for not one word was said to Mr. Jay of public affairs, nor will a word be said to me.

The real friendship of America seems to me the only thing, which can redeem this country from total destruction; there are a few who think so here, and but a few; and the present Ministers are not among them; or at least if they are of this opinion, they conceal it, and behave as if they thought America of small importance. The consequence will be, that little jealousies and rivalries and resentments will be indulged, which will do essential injury to this country as they happen, and they will end

in another war, in which will be torn from this island all her possessions in Canada, Nova Scotia, and the East and West Indies.

With great respect, &c.

JOHN ADAMS.

—•••—
*Extract from the Secret Journal of Foreign Affairs,
January 31, 1785.*

“On motion of Mr. R. R. Livingston, seconded by Mr. Pinckney,

Resolved, That a Minister Plenipotentiary be appointed to represent the United States of America, at the Court of Great Britain; and that the Secretary for Foreign Affairs report instructions for such Minister.”

February 18, 1785.

“*Resolved*, That no future commission of a Minister either generally or specially, to any foreign Court, Charge d’Affaires or Secretary to any foreign legation, shall continue in force for more than three years, the time from which it is to commence to be fixed in the commission, at the expiration of which period, unless reappointed, such Minister or Secretary shall cease to exercise such office; provided always, that such Minister or Secretary shall be considered as at all times subject to the recall of Congress, within the term limited.”

February 24, 1785.

“Congress proceeded to the election of a Minister Plenipotentiary to represent the United States of Ame-

rica at the Court of Great Britain; and the ballots being taken,

The honorable John Adams was elected, having been previously nominated by Mr. Howell."



*Report of instructions for the Minister Plenipotentiary
of the United States at the Court of London.*

Office for Foreign Affairs, }
February 5, 1785. }

You will, in a respectful, but firm manner, insist that the United States be put, without further delay, into possession of all the posts and territories within their limits, which are now held against them by British garrisons, and you will take the earliest opportunity of transmitting the answer you may receive to this requisition.

You will sound the disposition of the British cabinet to join with the United States in proper pacific measures for inducing Spain to cease opposing the free navigation of the Mississippi, and to that end a display of the commercial advantages which would flow to them through that channel, would probably prove a powerful inducement. You will remonstrate against the infraction of the treaty of peace, by the exportation of slaves and other American property, contrary to the stipulations on that subject in the — article of it. Upon this head you will be supplied with various authentic papers and documents, particularly the correspondence between General Washington and others on the one part, and Sir Guy Carleton on the other.

You will represent to the British Ministry the strong and necessary tendency of their restrictions on our trade to incapacitate *our* merchants in a certain degree to make remittances to *theirs*. You will so manage your conferences with the Minister, on the subject of commerce, as to discover whether he is inclined to a commercial treaty with us, and on what terms, taking care not to enter into any engagements without the previous approbation of Congress. You will represent in strong terms the losses which many of *our*, and also of *their* merchants will sustain, if the former be unseasonably and immediately pressed for the payment of debts contracted before the war, and (if compliance should appear probable) you will solicit the interposition and influence of government to prevent it. On this subject you will be furnished with papers in which it is amply discussed.

All which is submitted to the wisdom of Congress.

JOHN JAY.

Report of Secretary Jay—case of Blair McClenachan.

Office for Foreign Affairs, }
February 10, 1785. }

The Secretary of the United States for the department of Foreign Affairs, to whom, on the 7th instant, was referred a letter from Blair McClenachan, dated at London, the 13th October, 1784, reports thereupon as his opinion,

That the cause of the action at law commenced against Mr. McClenachan in the Court of King's bench in England by J. Brag is (as stated in his letter) unquestiona-

spirit of this law, may have been prompted by the example set in this State.

All which is humbly submitted to the wisdom of Congress.

JOHN JAY.



*Extract from the Secret Journal of Foreign Affairs,
March 7th, 1785.*

“ On the report of a committee, consisting of Mr. Read, Mr. Ellery, and Mr. Hardy, to whom were referred the letters of the 3rd and 16th of November from Mr. Laurens.

“ *Resolved*, That in conformity to the repeated wishes heretofore expressed by the honorable Benjamin Franklin, Esquire, Minister Plenipotentiary from the United States at the Court of Versailles, he be permitted to return to America as soon as convenient, and that Wednesday next be assigned for the election of Minister Plenipotentiary to represent the United States at the Court of Versailles.

“ On motion of Mr. King seconded by Mr. Pinckney,

“ *Resolved*, That it is expedient to appoint a Minister Plenipotentiary to succeed Mr. John Adams at the Court of the United Netherlands, and that Monday next be assigned for the election of such Minister.”

“ Congress took into consideration a report of the Secretary for Foreign Affairs, and thereupon agreed upon the following :

“ Instructions for a Minister Plenipotentiary appointed to represent the United States of America at the Court of Great Britain.

“ Sir,

“ You will in a respectful but firm manner insist, that the United States be put, without further delay, in possession of all the Posts and Territories within their limits which are now held by British garrisons; and you will take the earliest opportunity of transmitting the answer you may receive to this requisition.

“ You will remonstrate against the infraction of the treaty of peace by the exportation of negroes and other American property, contrary to the stipulations on that subject in the seventh article of it. Upon this head you will be supplied with various authentic papers and documents, particularly the correspondence between General Washington and others on the one part, and Sir Guy Carleton on the other.

“ You will represent to the British Ministry the strong and necessary tendency of their restrictions on our trade to incapacitate our merchants in a certain degree to make remittances to theirs.

“ You will represent in strong terms the losses which many of our, and also of their merchants, will sustain, if the former be unseasonably and immediately pressed for the payment of debts contracted before the war. On this subject you will be furnished with papers in which it is amply discussed.”

FROM JOHN JAY TO JOHN ADAMS.

New York, March 15, 1785.

Dear Sir,

The enclosed extracts from the journal of Congress, will inform you of your appointment to go as Minister to the Court of London, and of Mr. Smith being elected Secretary of Legation.

I congratulate you on this event. It argues the confidence reposed in you by the United States, and I am persuaded, will redound to your advantage, as well as to your reputation.

The necessary papers are preparing, and Mr. Smith will carry them to you by the next packet.

With great respect, &c.

JOHN JAY.



FROM JOHN JAY TO JOHN ADAMS.

Office for Foreign Affairs, }
March 18, 1785. }

Dear Sir,

The packet not sailing until to-morrow, has put it in my power to get your commission, instructions and letter of credence completed.

You will find them herewith enclosed. I also send you another parcel, of which Mr. Randall is also to take charge, the journals printed since those with which I understand you have already been furnished.

I have the honor to be, &c.

JOHN JAY.

*Extract from the Secret Journals of Congress, March
14th, 1785.*

The Secretary for the Department of Foreign Affairs having reported the form of a commission to Mr. Adams, appointed to represent the United States at the Court of London, and to Mr. W. Smith, appointed Secretary to the said Legation, and the same being amended to read as follows :

The United States of America in Congress assembled, to our trusty and well beloved John Adams, Esq, send greeting:

We, reposing especial trust and confidence in your integrity, prudence and ability, have nominated, constituted and appointed, and by these presents do nominate, constitute and appoint you, the said John Adams, our Minister Plenipotentiary to reside at the Court of his Britannic Majesty, and do give you full power and authority there to represent us, and to do and perform all such matters and things as to the said place or office doth appertain, or as may by our instructions be given unto you in charge. This commission to continue in force for the space of three years from this day, unless sooner revoked.

In testimony whereof, we have caused the seal of the United States to be hereunto affixed.

Witness, his Excellency R. H. Lee, our President, at the city of New York, this — day of — in the year of our Lord one thousand seven hundred and eighty-five, and of our sovereignty and independence the ninth.

The United States of America in Congress assembled,

to our trusty and beloved William S. Smith, Esquire, send greeting :

We, reposing special trust and confidence in your integrity, prudence and ability, have nominated, constituted and appointed, and by these presents do nominate, constitute and appoint you, the said William S. Smith, Secretary to our Legation to his Britannic Majesty.

This commission to continue in force for the space of three years from this day, unless sooner revoked.

In testimony whereof, we have caused the seal of the United States to be hereunto affixed.

Witness his Excellency, R. H. Lee, our President, at the City of New York, this ——— day of ——— in the year of our Lord one thousand seven hundred and eighty-five, and of our sovereignty and independence the ninth.

Ordered, That the said forms be referred to the Secretary for Foreign Affairs to take order.



FROM JOHN ADAMS TO JOHN JAY.

Bath Hotel, Westminster, May 29, 1785.

Dear Sir,

I was obliged to a letter from the Duke of Dorset to the custom house at Dover, as I suppose, for the respect with which my baggage was allowed to pass without a visit, and arrived in Westminster on the 25th, at evening. I wrote late at night, to the Marquis of Carmarthen, that I was arrived and desired to be informed at what hour I should call upon his Lordship. The next morning I had an answer, that his Lordship would be glad to see me at one at his house, or at four at his office. I went accordingly at one, with Colonel Smith, who very luckily arrived the evening before me. We were received with-

out loss of time, and treated with great politeness. I showed his Lordship my original commission and left him a copy; Colonel Smith showed his commission and left a copy.

His Lordship then desired me to call upon him at his office on Wednesday next, and he would introduce me to his Majesty in his private closet, after the levee, where I should present my letter of credence, and that, on the next levee day, according to the usage, Colonel Smith would also be presented to his Majesty. I asked his Lordship's advice whether my letter to the King should be under seal and what should be the superscription. He said he would make a minute of it for me. He has since written to me that it must be under seal, and mentioned the superscription of the States General, and added that it was customary for all Foreign Ministers to leave with the Secretary of State a copy of their credentials to the King or Queen.

I sent a copy accordingly by the Secretary of Legation, who was admitted to his Lordship, delivered the letter, and received a verbal approbation of the proposed superscription.

I have the honor to enclose copies of all the letters which have passed between the Secretary of State and me, numbered 1, 2, 3, 4, 5, and am sorry I have not time to write more fully by Mr. Curson. But the distraction of such occasions is excuse enough. The puzzle of finding lodgings, a house, servants, liveries, carriage, horses, making and receiving visits, getting my effects from Auteuil and the Hague, are such as no man can form an idea of who has not passed through it.

With great and sincere esteem, &c.

JOHN ADAMS.

FROM JOHN ADAMS TO LORD CARMARTHEN.

Mr. Adams has the honor to acquaint the Right Honorable the Marquis of Carmarthen, that he is just arrived in town with credentials from the United States of America, and desires to be informed at what hour he may have the honor of paying his respects to his Lordship.

Bath Hotel, May 26, 1785.

FROM LORD CARMARTHEN TO MR. ADAMS.

Lord Carmarthen presents his compliments to Mr. Adams, and shall be glad to see Mr. Adams this day, about one o'clock in Grosvenor's Square, or at his office in Cleaveland Row about four, whichever is most convenient to Mr. Adams.

Grosvenor Square, May 27, 1785.

JOHN ADAMS TO LORD CARMARTHEN.

Mr. Adams presents his compliments to the Right Honorable the Marquis of Carmarthen, and will have the honor of waiting on his Lordship in Grosvenor Square at one, according to his Lordship's proposal. Colonel Smith, the Secretary to the American commission, will have the honor of waiting on his Lordship at the same time.

Bath Hotel, May 27, 1785.

FROM LORD CARMARTHEN TO JOHN ADAMS.

St. James's, May 27, 1785.

Sir,

I forgot to mention to you to-day, when you did me the honor to call upon me in Grosvenor Square, that it is customary for every foreign Minister to send the Secretary of State a copy of the credential letters, they are directed by their Sovereigns to present to his Majesty, or to the Queen. With regard to the superscription, I find the credentials of the Ministers from the States General of the United Provinces are only addressed "*au Roi de la Grande Bretagne.*" I believe I did mention to you, sir, that the credential letters are always delivered, sealed, into his Majesty's hand.

I am, sir, &c.

CARMARTHEN.

FROM JOHN ADAMS TO LORD CARMARTHEN.

London, May 28, 1785.

My Lord,

I have received the letter your Lordship did me the honor to write to me yesterday, and have here enclosed a copy of the letter of credence, which I am directed by my Sovereign to present to his Majesty. I am so unfortunate as not to have any for the Queen, but I know the sentiments of my country, and of Congress, so well, as to be sure that this is not owing to any want of respect to her Majesty; probably it was merely the want of information that there had ever been a precedent of it.

I beg leave to propose to your Lordship, that the superscription should be, "To His Majesty, George the third, King of Great Britain, France and Ireland, Defender of the Faith, &c. If your Lordship should not disapprove of this, I should prefer it to the address of the United Provinces, as being more respectful.

With great respect, I have the honor, &c.

JOHN ADAMS.



FROM JOHN JAY TO JOHN ADAMS.

Office of Foreign Affairs, }
March 31, 1785. }

Dear Sir,

I have the honor of transmitting to you herewith enclosed, a certified copy of an act of Congress of the 21st instant, instructing you to communicate to Mr. St. Saphorin, the high sense the United States in Congress assembled, entertain of the liberal decision made by his Danish Majesty, on the question proposed to his Minister by you, respecting the ordination of American candidates for holy orders in the episcopal church, commonly called the church of England.

Congress has been pleased to order and to transmit copies of your letter and the other papers on this subject, to the executives of the different States; and I am persuaded they will receive with pleasure this mark of your attention, and of his Danish Majesty's friendly disposition.

I have the honor to be, &c.

JOHN JAY.

*Extract from the Secret Journal of Foreign Affairs,
March 21, 1785.*

“On the report of a committee consisting of Mr. Holten, Mr. W. C. Houston, Mr. Read, Mr. Bedford and Mr. Hardy, to whom were referred sundry letters from the Ministers of the United States at foreign Courts,

“*Resolved*, That the Minister Plenipotentiary from the United States to the States General of the United Netherlands, be instructed to communicate to Monsieur de St. Saphorin, Envoy Extraordinary from his Danish Majesty to the States General, the high sense the United States in Congress assembled, entertain of the liberal decision made by his Majesty on the question proposed to his Majesty’s Minister, from the United States, respecting the ordination of American candidates for holy orders in the episcopal church, commonly called the church of England.

“*Ordered*, That the Secretary for Foreign Affairs transmit to the executives of the several States, copies of Mr. Adams’ letter of the 22nd of April, 1784, as well as of the papers therein enclosed, relative to episcopal ordination.”



FROM JOHN JAY TO JOHN ADAMS.

New York, April 13, 1785.

Dear Sir,

I had the honor of writing to you on the 15th March last, mentioning your appointment to the Court of London; on the 18th of the same month enclosing your

commission, instructions and letter of credence, and sending with it the journals of Congress necessary to complete your set; and on the 31st March I wrote you another letter, with an act of Congress directing you to communicate to Mr. Saphorin the high sense they entertain of the liberal decision made by his Danish Majesty, on the question respecting the ordination of American candidates for holy orders in the episcopal church. Those letters were committed to the care of Paul Randall, Esq. who sailed in the last French packet.

I also wrote by captain Lamb, a letter dated the 11th March, to yourself, Doctor Franklin and Mr. Jefferson, enclosing a variety of papers respecting the treaties you are directed to negotiate and conclude with the Barbary States.

This will be delivered to you by Colonel Smith, your Secretary; and I herewith enclose copies of a number of papers respecting the transportation from hence, of negroes, by the British army, contrary to the treaty of peace; and also copies of some papers on the subject of the debts due from American to British merchants. On these two subjects your instructions partly turn, and that you may be the better enabled to fulfil them, these papers are now transmitted.

I have the honor to be, &c.

JOHN JAY.

P. S. I herewith enclose a cypher.

PAPERS ON THE DEPORTATION OF NEGROES.

Extract of a letter from Sir Guy Carleton to General Washington, of 12th May, 1783.

“ I enclose a copy of an order which I have given out to prevent the carrying away any negroes or other property of the American inhabitants. I understand, from the gentlemen therein named, that they visited the fleet bound to Nova Scotia, and ordered on shore whatever came clearly under the above description; there appeared to be but little difference of opinion except in the case of the negroes, who had been declared free previous to my arrival. As I had no right to deprive them of that liberty I found them possessed of, an accurate register was taken of every circumstance respecting them, so as to serve as a record of the name of the original proprietor of the negro, and as a rule by which to judge of his value. By this open method of conducting the business, I hoped to prevent all fraud, and whatever might admit of different constructions is left open for future explanation or compensation. Had these negroes been denied permission to embark, they would, in spite of every means to prevent it, have found various methods of quitting this place, so that the former owner would no longer have been able to trace them, and of course would have lost, in every way, all chance of compensation.

This business, carried on in this public manner, and the orders nominating persons to superintend embarkations, published in the Gazette, I had no reason to think either the embarkation or any circumstance attending it, could have been matter of surprize to your Excellency on the 6th May: I then, however, learned with concern,

that the embarkation which had already taken place, and in which a large number of negroes had been conveyed away, appeared to your Excellency as a measure totally different from the letter and spirit of the treaty.

The negroes in question I have already said, I found free when I arrived at New York, I had therefore no right as I thought, to prevent their going to any part of the world they thought proper.

I must confess that the mere supposition that the King's Minister would deliberately stipulate in a treaty, an engagement to be guilty of a notorious breach of the public faith towards people of any complexion, seems to denote a less friendly disposition than I could wish, and I think less friendly than we might expect; after all, I only give my own opinion. Every negro's name is registered, the master he formerly belonged to, with such other circumstances as serve to denote his value, that it may be adjusted by compensation. If that was really the intention and meaning of the treaty, restoration where inseparable from a breach of public faith, is, as the world I think must allow, utterly impracticable. I know of no better method of preventing abuse, and the carrying away negroes or other American property, than that I proposed to the Minister for Foreign Affairs in my letter of the 14th of April, the naming commissioners to assist those appointed by me, to inspect all embarkations, and I am pleased to find your excellency has approved of this method, and appointed Egbert Benson, Esquire, Lieut. Colonel Smith, and Daniel Parker, Esquire, one of the contractors for supplying your army with provisions, Commissioners on your part for the purpose."

I am, Sir, &c.

GUY CARLETON.

Extract from general orders.

Head Quarters,
New York, April 15, 1783. }

"It is the Commander-in-chief's orders, that the following extract from the 7th article of the provisional treaty between Great Britain and the United States of America, be strictly attended to, and complied with, by all persons whatsoever under his command.

"And his Britannic Majesty shall, with all convenient speed, and without causing any destruction or carrying away any negroes or other property of the American inhabitants, withdraw all his armies, garrisons and fleets, from the said United States, and from every port, place and harbor within the same, leaving in all fortifications the American artillery that may be therein; and shall also order and cause all the archives, records, deeds and papers, belonging to any of the said States, or their citizens, which, in the course of the war, may have fallen into the hands of his officers, to be forthwith restored and delivered to the proper States and persons to whom they belong.

"All masters of vessels are particularly cautioned on their part, not to commit any breach of the above article."



Copy of a resolution of Congress of 26th May, 1783.

By the United States of America in Congress assembled—May 26th, 1783.

"Whereas, by the articles agreed upon the 30th of No-

vember last, by and between the commissioners of the United States of America for making peace, and the commissioners on the part of his Britannic Majesty, it is stipulated that his Britannic Majesty shall, with all convenient speed, and without any destruction or carrying away any negroes or other property of the American inhabitants, withdraw all his armies, garrisons and fleets, from the said United States, and from every port, place and harbor, within the same; and whereas, a considerable number of negroes belonging to these States, have been carried off therefrom, contrary to the true intent and meaning of the said articles—

“*Resolved*, That copies of letters between the Commander-in-chief and Sir Guy Carleton, and other papers on this subject, be transmitted to the Minister Plenipotentiary of these States for negotiating peace in Europe, and that they be directed to remonstrate thereon to the Court of Great Britain, and take proper measures for obtaining such reparation as the nature of the case will admit.

“*Ordered*, That a copy of the foregoing resolve be transmitted to the Commander-in-chief, and that he be directed to continue his remonstrances to Sir Guy Carleton, respecting the permitting negroes belonging to the citizens of these States, to leave New York, and to insist on the discontinuance of that measure.”

CHAS. THOMPSON, Secretary.

*Copy of a letter from General Washington to Sir
Guy Carleton.*

Head Quarters, June 2, 1783.

Sir,

I have the honor to enclose to your Excellency the copy of a resolution of Congress, which has lately been transmitted to me from that honorable body. Your Excellency will be pleased to notice the purport of this act, and I am persuaded you will consider it with that attention, which you shall judge the nature of its object requires.

I have the honor to be, &c.

G. WASHINGTON.



*Extract of a letter from Sir Guy Carleton to General
Washington, in answer to his of the 2nd June.*

"I cannot, Sir, but be satisfied, that Congress has transmitted the case concerning certain negroes for whose protection the public faith had been pledged, (but which is considered by Congress as contrary to the true intent and meaning of the provisional articles of peace) to its Plenipotentiaries in Europe, as these gentlemen and the King's Ministers, between whom these articles were negotiated, may be considered as most competent and able to ascertain their true intent and meaning."

GUY CARLETON.

*Extract of a letter from the Commissioners to General
Washington, in answer to his of the 2d June.*

New York, June 14, 1783.

Sir,

We do ourselves the honor to acknowledge the receipt of your Excellency's letter of the 2nd instant, covering the act of Congress of the 26th ultimo, and we also do ourselves the honor to transmit your Excellency a copy of a memorial which we presented to Sir Guy Carleton on Monday last, to which we have not as yet received any answer, except a verbal message by his deputy Secretary, that he did not conceive an answer at this time necessary.

Your Excellency will recollect, that in answering our claim for restitution in the case of Mr. Vanderburgh, Sir Guy Carleton intimated an impropriety in the claim, as the property was not suggested to be in danger of being sent away; this left room for an idea that, possibly, property about to be sent away would be restored, and we apprized your Excellency, that we should take the first fair occasion which should present itself to remove all doubt on this point, and with this view, we made the requisition in behalf of Mr. Lott; and we conceive it is now reduced to a certainty, that all application for the delivery of property will be fruitless, and we shall therefore desist from them.

That part of the memorial which is in the nature of a remonstrance, is in consequence of the resolution of Congress, and your Excellency's letter which accompanied it.

Yesterday we assisted in superintending an embarka-

tion, consisting of fourteen transports bound to Nova Scotia, having on board, as nearly as we could estimate, about three thousand souls; among which were at least about one hundred and fifty negroes, who appeared to be property of the citizens of the United States, and as this embarkation was made since we presented our memorial, and, as it were, in the face of it, we submit it to your Excellency, whether it is necessary for us further to remonstrate to Sir Guy Carleton against his permitting slaves, the property of American subjects, to leave this place, and could wish to receive your Excellency's direction on that subject.

We have the honor to be, &c.

EGBERT BENSON,
DANIEL PARKER.

Extract of a remonstrance from Egbert Benson, Wm. S. Smith and Daniel Parker, to Sir Guy Carleton.

"The undersigned Commissioners, on behalf of the United States of America, did, with intent to comply with their instructions, directing them to assist such persons as should be appointed by your Excellency in superintending and inspecting such embarkations as the evacuation of this place should require," on Friday last assist the Commissioners appointed by your Excellency, in superintending and inspecting an embarkation made by direction of your Excellency, and consisting of 14 transports in the pay and service of the Crown of Great Britain, bound for the province of Nova Scotia, and having on board, as near as the undersigned could esti-

mate, at least two thousand white persons, who, a few individuals excepted, appeared to be persons in civil life, and inhabitants of the United States, and having also on board upwards of one hundred negroes, seventy-three of whom appeared to be the property of American subjects not residing within the British lines.

The undersigned, therefore, in order to guard against improper inferences from their silence on this occasion, and from their conduct in future, conceived it incumbent on them to represent to your Excellency, that notwithstanding any act on their part in superintending or inspecting the above mentioned or any other embarkation, they do and shall consider the permission from your Excellency to any negroes belonging to the citizens of these States, to leave this city, as an infraction of the treaty of peace agreeable to their representation of the 9th inst. and that they do not, neither can they, consider the said embarkation, or any other of a similar nature, as an embarkation which the evacuation of this place requires."

Copy of a remonstrance from Egbert Benson, William S. Smith, and Daniel Parker, to Sir Guy Carleton.

New York, June 9, 1783:

"The undersigned, Commissioners in behalf of the United States of America, do represent to your Excellency, that on Friday last the board, composed of the Commissioners appointed by your Excellency, and of the undersigned, examined into the claim of Mr. Philip Lott to a negro, named Thomas Francis, now on board a vessel called the Fair American in this harbor, and about

to be carried off to the Island of Jamaica; that on such examination, it appeared to the board, that Mr. Lott purchased the aforementioned negro from Mr. Elihu Spencer, of New Jersey, and that the said negro came within the British lines the 2d day of November last, and was enlisted by Capt. Thelwal in a corps distinguished by the name of the Jamaica Rangers. Capt. Thelwal produced to the board a certificate from the commandant of this city, that the said negro came within the British lines under the sanction of the proclamation respecting negroes.

The undersigned, therefore, in conformity to that part of their commission, whereby they are required "to attend particularly to the due execution of that part of the seventh article of the provisional treaty where it is agreed, "his Britannic Majesty shall withdraw his armies, &c. without causing any destruction, or carrying away any negroes or other property of the American inhabitants," do request of your Excellency that the said Captain Thelwal may be prohibited from carrying away the said negro; and in conformity to that part of their commission whereby they are required "to obtain the delivery of all negroes and other property of the inhabitants of the United States in the possession of the British forces, or any subjects of, or adherents to, his Britannic Majesty," do further request of your Excellency that the said negro may be delivered to Mr. Lott.

"The undersigned do themselves the honor herewith to transmit to your Excellency a copy of an act of the United States in Congress assembled of the 26th of May last, which has been transmitted to them by his Excellency General Washington, with directions to pay strict attention to the injunctions of Congress contained in the

said act, and, as the undersigned are, by their commission, enjoined to represent to the Commander-in-Chief of the British forces in this city, every infraction of the articles of peace; it therefore becomes their duty to remonstrate to your Excellency against your permitting any negroes, the property of the citizens of these States, to leave this city, and to insist on a discontinuance of that measure.

EGBERT BENSON,
WILLIAM S. SMITH,
DANIEL PARKER.

Copy of a letter from General Washington to the President of Congress.

Head Quarters,
June 28, 1783. }

Sir,

I think it expedient to transmit to your Excellency, a copy of the correspondence which has taken place between our commissioners for superintending embarkations in New York, and myself. From their several reports, memorials, and remonstrances, Congress will be informed of the almost total inefficacy of the measures which have been adopted for carrying the 7th article of the provisional treaty into effect.

Finding that merely the superintendence of embarkations, (and that only when called upon by the British) without the power of restraining the property of the inhabitants of the United States from being carried away, could be of little utility—having been also informed that the *departure* of all negroes, (who choose to go away) in-

discriminately and without examination, in private vessels, is, if not publicly allowed, at least connived at, and conceiving this is the only species of property that can at present require attention, I cannot think there will be much advantage in continuing our Commissioners any longer at New York; and I take the liberty therefore to suggest, whether it would not be eligible to revoke the commission. Indeed I should have thought myself authorized to decide upon this point, had I not apprehended it might eventually involve consequences of considerable national concern—it was on this account I deemed it more expedient to lay the state of this business before Congress, and to ask their farther orders on the subject.

I have the honor to be, &c.

G. WASHINGTON.

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PAPERS RESPECTING THE TRANSPORTATION OF NEGROES
FROM NEW YORK BY THE BRITISH ARMY, CONTRARY
TO THE TREATY OF PEACE.

Copy of a letter from Sir Guy Carleton to the honorable Robert R. Livingston, Esquire.

New York, April 14, 1783.

Sir,

As I observe in the 7th article of the provisional treaty, it is agreed, after stipulating that all prisoners, on both sides, shall be set at liberty, that "his Britannic Majesty shall, with all convenient speed, and without causing any destruction, or carrying away any negroes or other property of the American inhabitants, withdraw all

his armies, garrisons, and fleets, from the United States and from every port, place and harbor, within the same, &c." and as embarkations of persons and property are on the point of being made, I am to request that Congress would be pleased to empower any person or persons on behalf of the United States to be present at New York, and to assist such persons as shall be appointed by me to inspect and superintend all embarkations which the evacuation of this place may require; and they will be pleased to represent to me every infraction of the letter or spirit of the treaty, that redress may be immediately ordered.

GUY CARLETON.

Copy of a letter from General Washington to the President of Congress.

Orange Town, May 8, 1783.

Sir,

The copy of my letter of the 21st April to his Excellency Sir Guy Carleton, with a copy of his reply to me, which I had the honor to transmit to your Excellency, will have informed Congress that the 5th of this month was agreed upon between us for an interview at this place.

In consequence of this arrangement, I arrived here on the 4th. The contingencies of a water passage in a frigate prevented Sir Guy Carleton's arrival until the evening of the 5th; on the 6th our interview took place at my quarters, about three miles from the river. Our conversation upon the different subjects to which my instructions pointed me was diffuse and desultory, and

closed with a proposition on my part, and acceded to on the part of General Carleton, that the points of discussion should be reduced to writing.

I have the honor to enclose the copy of a letter which I wrote to Sir Guy Carleton the evening of our conference, and to which I expected to receive his answer, being to dine with him the next day on board the frigate.

Coming on board the ship, I found Sir Guy under a severe fit of fever and ague, (a previous fit of which he had experienced the day of his arrival.) In these circumstances, and wanting, as he said, to have recourse to some papers in New York previous to making an answer to my letter, and, at the same time, urged by the exigency of other business, he had determined to return immediately to New York; apologizing to me and promising that I should hear from him soon on the subject of my proposition. Thus I find myself without an answer to my letter, or such an issue to our interview as I had wished; and the ship is this morning gone down the river.

In this situation, willing to give Congress every information in my power, I have desired the gentlemen who were present at the conversation which passed on our first interview, to recollect and put in writing the substance of it. This they have been so obliging as to do, and a copy of it is enclosed.

As soon as I am possessed of a reply from General Carleton to my letter of the 6th, I will do myself the honor to transmit a copy to your Excellency without delay.

It is my duty also to inform Congress, that, in consequence of their resolutions of the 15th of April, and

reference to me of the letter of Sir Guy Carleton of the 14th of April to the Secretary of Foreign Affairs, and not thinking it proper to suffer any further delay, I have appointed Daniel Parker, Esquire, Egbert Benson, Esquire, and Lt. Col. William S. Smith, as commissioners on the part of the United States, to attend and inspect the embarkations that may in future be made at New York, previous to the final evacuation of that city. The powers with which these gentlemen are vested, will appear from a copy of their appointment and instructions which are enclosed, and which I hope will meet the approbation of Congress.

I have the honor to be, &c.

GEORGE WASHINGTON.



Copy of a letter from General Washington to Sir Guy Carleton.

Orange Town, May 6, 1783.

Sir,

In my letter of the 21st April, I enclosed to your Excellency a copy of a resolution of Congress of the 15th, instructing me in three points which appeared necessary, for carrying into effect the terms of the treaty between Great Britain and the United States of America, and informed you that such part as rested on my decision, and which regarded the release of prisoners, had been determined, and was then ordered to be carried into execution. Upon the other two points, as they respected the receiving possession of the post in occupation of the British troops, and the carrying away any negroes or

other property of the American inhabitants, and both being within your control, I had the honor to propose a personal interview with your Excellency, that the subjects might be freely discussed, and that measures might be agreed upon for carrying into execution those points of the seventh article of treaty agreeably to their true intent and spirit.

Having been favored this day with a personal conference, I have now, to prevent misapprehension and misconstruction, and that I may be enabled to fulfil my instructions with fidelity and with candor, the honor to propose, agreeably to our conversation, that your Excellency will be pleased to give me, in writing, information of what means are adopting on your part for carrying into execution that point of the treaty which regards the evacuation of the posts now in possession of the British troops, and under your Excellency's command; and, also, at what time it is probable those posts, or any of them, may be relinquished, and the fleets and armies of his Britannic Majesty withdrawn.

Respecting the other point of discussion, in addition to what I mentioned in my communication of the 21st ultimo, I took occasion, in our conferences, to inform your Excellency, that, in consequence of your letter of the 14th of April, to R. R. Livingston, Esquire, Congress had been pleased to make a further reference to me of that letter, and had directed me to take such measures as should be found necessary for carrying into effect, the several matters mentioned by you therein. In the course of our conversation upon this point, I was surprised to hear you mention that an embarkation had already taken place, in which a large number of negroes had been car-

ried away. Whether this conduct is consonant to, or how far it may be deemed an infraction of the treaty, it is not for me to decide ; I cannot, however, conceal from your Excellency, that my private opinion is, that the measure, is totally different from the letter and spirit of the treaty. But, waiving the discussion of the point, and leaving its decision to our respective sovereigns, I find it my duty to signify my readiness, in conjunction with your Excellency, to enter into any agreement or take any measures, which may be deemed expedient to prevent the future carrying away any negroes, or other property of the American inhabitants.

I beg the favor of your Excellency to reply, and I have the honor to be, &c.

GEORGE WASHINGTON.

*Extract from the substance of the conference between
General Washington and Sir Guy Carleton, at an
interview at*

Orange Town, May 6, 1783.

“General Washington opened the conference by observing that he, heretofore, had transmitted to Sir Guy Carleton the resolutions of Congress of the 15th ultimo; that he conceived a personal conference would be the most speedy and satisfactory mode of discussing and settling the business; and that, therefore, he had requested the interview. That the resolutions of Congress related to three distinct matters, namely, the setting at liberty the prisoners, the receiving possession of the posts occupied by the British troops, and the obtaining the delivery

of all negroes and other property of the inhabitants of these States, in the possession of the forces or subjects of, or adherents to his Britannic Majesty. That, with respect to the liberation of the prisoners, he had, as far as the business rested with him, put it in train, by meeting and conferring with the Secretary of War, and concerting with him the proper measures, for collecting the prisoners and forwarding them to New York, and that it was to be optional with Sir Guy, whether the prisoners should march by land, or whether he would send transports to convey them by water—and that the Secretary at War was to communicate with Sir Guy Carleton on the subject, and obtain his determination. With respect to the other two matters which were the objects of the resolutions, General Washington requested the sentiments of General Carleton. Sir Guy then observed, that his expectations of a peace had been such, as that he had anticipated the event by very early commencing his preparations to withdraw the British troops from the country, and that every preparation which his situation and circumstances would permit was still continued. That an additional number of transports, and which were expected, were necessary to remove the troops and stores, and, as it was impossible to ascertain the time when the transports would arrive, their passages depending on the casualties of the seas, he was therefore unable to fix a determinate period within which the British forces would be withdrawn from the City of New York. But that it was his desire to exceed even our own wishes in this respect, and that he was using every means in his power to effect, with all possible despatch, an evacuation of that and every post within the United States,

occupied by the British troops under his direction. That he considered as included in the preparations for the final departure of the British troops, the previously sending away those persons who supposed that, from the part they had taken in the present war, it would be most eligible for them to leave the country; and that upwards of six thousand persons of this character had embarked and sailed, and that, in this embarkation, a number of negroes were comprised. General Washington thereupon expressed his surprise, that after what appeared to him an express stipulation to the contrary in the treaty, negroes, the property of inhabitants of these States, should be sent off. To which Sir Guy Carleton replied, that he wished to be considered as giving no construction of the treaty. That by *property* in the treaty might only be intended property *at the time*, the negroes were sent off. That there was a difference in the mode of expression in the treaty. Archives, papers, &c. were to be restored, negroes and other property were only not to be destroyed or carried away. But he principally insisted, that he conceived it could not have been the intention of the British government, by the treaty of peace, to reduce themselves to the necessity of violating their faith to the negroes, who came into the British lines under the proclamation of his predecessors in command. That he forebore to express his sentiments on the propriety of those proclamations, but that delivering up the negroes to their former masters, would be delivering them up, some possibly to execution, and others to severe punishments, which, in his opinion, would be a dishonorable violation of the public faith, pledged to the negroes in the proclamation. That if the sending

off the negroes should hereafter be declared an infraction of the treaty, compensations must be made by the crown of Great Britain to the owners. That he had taken measures to provide for this, by directing a register to be kept of all the negroes who were sent off, specifying the name, age, and occupation of the person, and the name, and place of residence of his former master. General Washington again observed, that he considered this conduct on the part of General Carleton a departure from both the letter and the spirit of the articles of peace; and particularly mentioned a difficulty that would arise in compensating the proprietors of negroes, admitting this infraction of the treaty could be satisfied by such compensation as Sir Guy had alluded to, as it was impossible to ascertain the value of the slaves from any fact or circumstance which may appear in the register, the value of the slave consisting chiefly in his industry and sobriety; and General Washington mentioned a further difficulty which would attend identifying the slave, supposing him to have changed his own name, or to have given in a wrong name to his master. In answer to which, Sir Guy Carleton said, that as the negro was free and secured against his master, he could have no inducement to conceal either his own true name or that of his master. Sir Guy Carleton then observed, that by the treaty he was not held to deliver up any property, but was only restricted from carrying it away; and therefore, admitting the interpretation of the treaty as given by General Washington to be just, he was notwithstanding pursuing a measure which would operate most for the security of the proprietors. For if the negroes were left to themselves, without care or control from

him, numbers of them would very probably go off, and not return to the parts of the country from whence they came, or clandestinely get on board the transports in such manner, as would not be in his power to prevent; in either of which cases an inevitable loss would ensue to the proprietors; but, as the business was now conducted, they had at least a chance for compensation. Sir Guy concluded the conversation on this subject by saying, that he imagined that the mode of compensating, as well as the accounts and other points, with respect to which there was no provision made in the treaty, must be adjusted by commissioners to be hereafter appointed by the two nations.

We, having been present at the conference, do certify the above to be true.

GEORGE CLINTON,
JNO. M. SCOTT,
EGBERT BENSON,
JONA. TRUMBULL.

Copy of the appointment and instructions to the Commissioners to inspect and superintend embarkations in New York.

By his Excellency George Washington, Esquire, General and Commander in Chief of the forces of the United States, &c.

To Egbert Benson, Esquire, Attorney General of the State of New York, William S. Smith, Esquire, Lieutenant Colonel in the service of the United States, and Daniel Parker, Esquire.

Whereas, his Excellency, Sir Guy Carleton, Commander in Chief of the British troops in the posts now occupied by his Britannic Majesty contiguous to the Atlantic, did, on the 14th of April last, write to the honorable Robert R. Livingston, one of the American Ministers, in the words following, viz :

* * * * *

Whereas, Congress did, on the 24th of April, 1783, refer the said letter to me, with directions to take such measures for carrying into effect the several matters therein mentioned, as to me should seem expedient ; and, whereas, I have thought it expedient and necessary, that commissioners should be appointed for the purposes aforesaid, and to carry fully into execution the instructions of Congress "for obtaining the delivery of all negroes and other property of the inhabitants of the United States in the possession of the British forces, or any subjects of, or adherents of his Britannic Majesty."

I do, therefore, in virtue of the powers vested in me as aforesaid, hereby nominate, constitute and appoint you, the said Egbert Benson, William S. Smith and Daniel Parker, commissioners on behalf of the United States, for the purposes before mentioned, and you are to attend particularly to the due execution of that part of the seventh article of the provisional treaty, where it is agreed that his Britannic Majesty shall withdraw his armies, &c. from the United States, "without causing any destruction or carrying away any negroes or other property of the American inhabitants," and you, the aforesaid Egbert Benson, William S. Smith and Daniel Parker, or any two of you, are hereby fully authorized and empowered to be present at New York, and to assist such persons as shall be appointed by the Com-

mander in Chief of the British forces in New York, to inspect and superintend all embarkations, which the evacuation of that place may require, and you are to represent to the said Commander in Chief every infraction of the letter or spirit of the aforesaid treaty, to the end that redress may be obtained, furnishing me at the same time with duplicates of all such representations or communications as may be made by you on the subject, with the result thereof; and making a general report of your proceedings at the termination of this commission.

Relying on your patriotism, fidelity and abilities, I do, hereby, further authorize and empower you, in transacting the aforesaid business, to act in conformity to your own judgment and discretion, in all such matters and things relative thereto, as are not particularly specified herein. This commission to continue in force until the evacuation of New York shall be completely effected, unless sooner revoked.

Given under my hand and seal, at Orange Town, this 8th day of May, 1783.



FROM JOHN ADAMS TO JOHN JAY.

London, May 30, 1785.

Dear Sir,

I have redeemed a moment from a multitude of avocations at this critical time, to acknowledge the receipt, by Colonel Smith, of your letters of the 31st of March, with the resolution of Congress enclosed of the 21st of March. As M. de St. Saphorin is many months ago recalled from the Hague, I shall make inquiry after him, and if I cannot find where he is, I shall communicate a

copy of the resolution to the Danish Minister here, by whom it will be transmitted to his Court, which I suppose will be an execution of my instructions as near the spirit of them as it is now practicable. The liberal decision of his Danish Majesty, respecting the ordination of American candidates for holy orders in the Episcopal Church, called the Church of England, as soon as it was known in England, produced a more liberal spirit and decision here, than had prevailed before, so that I hope that respectable body of our fellow citizens, who are interested in it, have derived a benefit from it. I am much obliged to Congress for this instance of their approbation, and for the honor they have done me, in transmitting an account of it, to the executives of the States.

I have received, too, your letter of 13th of April, 1785, with the resolve of Congress of 14th February, 1785, empowering your ministers to apply a sum not exceeding eighty thousand dollars to the use of treating with Morocco, &c. But I have heard nothing of Captain Lamb or the papers by him. What my colleagues will judge proper to do I cannot say, but the advice of the French Court was conformable to the opinion of us all, that it will be indispensable for Congress to send a Consul with full powers.

I received at Auteuil, my commission, instructions and letter of credence to the Court of Great Britain, and have now received, by Colonel Smith, the papers sent by him.

I received at Auteuil, the ratification of the last loan in Holland, which I transmitted immediately to Amsterdam, where it has been received, registered and communicated to the lenders of the money, and has given them satisfaction, since which, I have received from you, Sir,

duplicate and triplicate of the same ratification. The cypher is received and shall be attended to.

Your Ministers have written, monthly, an account of their proceedings. Not one packet has been missed, but when I left Auteuil, we had no certain evidence that any one of our letters had been received. We supposed that this was because Congress had not completed their instructions upon any of them ; but I must beg the favor of you, Sir, barely to mention the receipts of my letters and their dates, although you may not be prepared to answer them, without this one loses the chain of correspondence. I have been visited by some gentlemen, who I suppose had seen the Ministers, and learned from them what to say to me, they said that the Ministry and the King considered the appointment of a Minister as a proof of a conciliating disposition, that it was a relief to them from an anxiety, &c. and that they were fully determined to receive me in all respects like all the other foreign Ministers. This, I believe is true ; but we must be cautious what consequences we draw from it. It by no means follows, that they are determined to do what their honor, and their public faith obliges them to do according to our ideas of their obligations. It by no means follows that they will surrender the posts, restore the negroes, relieve the debtors, or make an equitable treaty of commerce. I hope they will do all these things, but I can ascertain nothing until my character is acknowledged by a public reception and audience of his Majesty, made my visits to his Ministers, and had time to enter into a candid discussion of these questions. You shall be punctually informed from step to step.

With great esteem, &c.

JOHN ADAMS.

P. S. This morning Sir Clement Cottrell Dormer, master of the ceremonies, called upon me, to inform me, that he was ordered to attend me to Court on Wednesday, as he did on all foreign Ministers at their first presentation, to shew them the way through the apartments, &c.

FROM JOHN ADAMS TO JOHN JAY.

Bath Hotel, Westminster, June 1, 1785.

Dear Sir,

In my letter of the 28th ult. I enclosed copies of the letters which had passed between the Secretary of State and myself, wherein this day was fixed upon for my introduction to his Majesty; agreeable to that arrangement, the master of ceremonies waited on me alone and accompanied me to the Secretary's office, from whence Lord Carmarthen accompanied me to the palace, I was in a very short time introduced to the King's closet, where, with the usual ceremony I presented my letter of credence to his Majesty, and after a few minutes conversation, retired; I have only time to observe, Sir, that I was introduced with every necessary formality, and received with some marks of attention.

The door being now opened, I may, perhaps, soon have it in my power to form some opinion respecting the general disposition of the King and his Ministers, relative to the objects of my mission, of which you may expect the earliest communication.

I am, &c.

JOHN ADAMS.

FROM JOHN ADAMS TO JOHN JAY.

Bath Hotel, Westminster, June 2, 1785.

Dear Sir,

During my interview with the Marquis of Carmarthen, he told me that it was customary for every foreign Minister, at his first presentation to the King, to make his Majesty some compliments conformable to the spirit of his credentials, and when Sir Clement Cottrel Dormer, the master of the ceremonies came to inform me that he should accompany me to the Secretary of State, and to Court, he said that every foreign Minister whom he had attended to the Queen; had always made an harangue to her Majesty, and he understood, though he had not been present, that they always harangued the King.

On Tuesday evening, the Baron de Lynden called upon me, and said he came from the Baron de Nolken, and had been conversing upon the singular situation I was sent in, and agreed in opinion that it was indispensable that I should make a speech, and that it should be as complimentary as possible, all this was parallel to the advice lately given by the Count De Vergennes to Mr. Jefferson, so that finding it was a custom established at both these great Courts, and that this Court and the foreign Ministers expected it. I thought I could not avoid it, although my first thought and inclination had been to deliver my credentials silently and retire.

At one, on Wednesday, the first of June, the master of ceremonies called at my house and went with me to the Secretary of State's Office, in Cleveland Row, where the Marquis of Carmarthen received me and introduced me to his under Secretary.

Mr. Frazier, who has been, as his Lordship said, uninterrupted in that office, through all the changes in administration for thirty years, having first been appointed by the Earl of Holderness. After a short conversation upon the subject of importing my effects from Holland and France free of duty, which Mr. Frazier himself introduced, Lord Carmarthen invited me to go with him in his coach to Court. When we arrived in the Anti-Chamber, the *Oeil de Boeuf*, of St. James's, the master of the ceremonies met me and attended me, while the Secretary of State went to take the commands of the King. While I stood in this place, where it seems all Ministers stand upon such occasions, always attended by the master of ceremonies, the room very full of Ministers of State, Bishops, and all other sorts of courtiers, as well as the next room, which is the King's bed-chamber, you may well suppose, I was the focus of all eyes. I was relieved, however, from the embarrassment of it, by the Swedish and Dutch Ministers, who came to me, and entertained me in a very agreeable conversation during the whole time. Some other gentlemen whom I had seen before, came to make their compliments to me, until the Marquis of Carmarthen returned and desired me to go with him to his Majesty. I went with his Lordship through the levee room into the King's closet. The door was shut and I was left with his Majesty and the Secretary of State alone, I made the three reverences, one at the door, another about halfway, and the third before the presence, according to the usage established at this and all the northern Courts of Europe, and then addressed myself to his Majesty in the following words:

“ Sir,

“ The United States of America have appointed me their Minister Plenipotentiary to your Majesty, and have directed me to deliver to your Majesty this letter, which contains the evidence of it. It is in obedience to their express commands that I have the honor to assure your Majesty of their unanimous disposition and desire to cultivate the most friendly and liberal intercourse between your Majesty’s subjects and their citizens, and of their best wishes for your Majesty’s health and happiness, and that of your royal family. The appointment of a Minister from the United States to your Majesty’s Court, will form an epoch in the history of England and of America. I think myself more fortunate than all my fellow-citizens in having the distinguished honor to be the first to stand in your Majesty’s royal presence in a diplomatic character, and shall esteem myself the happiest of men, if I can be instrumental in recommending my country more and more to your Majesty’s royal benevolence, and of restoring an entire esteem, confidence and affection, or in better words, the old good nature and the old good humor, between people, who though separated by an ocean, and under different governments, have the same language, a similar religion, and kindred blood.

“ I beg your Majesty’s permission to add, that although I have some time before been intrusted by my country, it was never in my whole life in a manner so agreeable to myself.”

The King listened to every word I said with dignity, but with an apparent emotion. Whether it was the nature of the interview, or whether it was my visible

agitation, for I felt more than I did or could express, that touched him, I cannot say ; but he was much affected, and answered me with more tremor than I had spoken with, and said :

“Sir,

The circumstances of thy audience are so extraordinary, the language you have now held is so extremely proper, and the feelings you have discovered so justly adapted to the occasion, that I must say that I not only receive with pleasure the assurance of the friendly dispositions of the United States, but that I am very glad the choice has fallen upon you to be their Minister. I wish you, Sir, to believe, and that it may be understood in America, that I have done nothing in the late contest, but what I thought myself indispensably bound to do, by the duty which I owed to my people. I will be very frank with you. I was the last to consent to the separation; but the separation having been made, and having become inevitable, I have always said, as I say now, that I would be the first to meet the friendship of the United States as an independent power. The moment I see such sentiments and language as yours prevail, and a disposition to give to this country the preference, that moment I shall say, let the circumstances of language, religion and blood, have their natural and full effect.”

I dare not say that these were the King's precise words, and it is even possible that I may have in some particular mistaken his meaning, for although his pronunciation is as distinct as I ever heard, he hesitated some time between his periods, and between the members of the same period. He was much affected, and I

was not less so, and therefore, I cannot be certain that I was so attentive, heard so clearly, and understood so perfectly, as to be confident of all his words or sense, and I think that all which he said to me should at present be kept a secret in America, unless his Majesty or his Secretary of State should judge proper to report it. This I do say, that the foregoing is his Majesty's meaning as I then understood it, and his own words as nearly as I can recollect them. The King then asked me whether I came last from France, and upon answering in the affirmative, he put on an air of familiarity, and, smiling, or rather laughing, said, there is an opinion among some people, that you are not the most attached of all your countrymen to the manners of France. I was surprised at this, because I thought it an indiscretion and a departure from the dignity. I was a little embarrassed, but determined not to deny the truth on one hand, nor leave him to infer from it any attachment to England on the other. I threw off as much gravity as I could, and assumed an air of gaiety and a tone of decision as far as was decent, and said, that opinion, Sir, is not mistaken; I must avow to your Majesty, I have no attachment but to my own country. The King replied, as quick as lightning, an honest (man) will never have any other. The King then said a word or two to the Secretary of State, which, being between them, I did not hear, and then turned and bowed to me, as is customary with all Kings and Princes when they give the signal to retire.

I retreated, stepping backward as is the etiquette, and, making my last reverence at the door of the chamber, I went my way.

The master of the ceremonies joined me the moment

of my coming out of the King's closet, and accompanied me through the apartments to my carriage. I have been thus minute as it may be useful to others hereafter.

The conversation with the King, Congress will form their own judgment of. I may expect from it a residence less painful than I once expected, as so marked an attention from the King will silence many grumblers; but we can infer nothing from all this concerning the success of my mission. There are a train of other ceremonies to go through. The Queen, and visits to and from Ministers and Ambassadors, which will take up much time and interrupt me in my endeavors to obtain what I have at heart, the object of my instructions. It is thus the essence of things are lost in ceremony in every country of Europe. We must submit to what we cannot alter. Patience is the only remedy.

With great respect, &c.

JOHN ADAMS.



FROM JOHN ADAMS TO JOHN JAY.

Bath Hotel, Westminster, June 6, 1785.

Dear Sir,

Colonel Smith, on the third of this month, informed me, that Colonel Forrest had been with him, in behalf of two gentlemen of Glasgow, Mr. Calquhoun Provost, of that City, and Mr. Alexander Brown, who were deputed by the merchants of that place, who had debts in America, to confer with the creditors in London concerning an application to ministry and parliament to obtain their interposition for the recovery of their claims, but that hav-

ing heard of the appointment of a Minister to this Court and of my arrival, they were desirous of seeing me. I desired Colonel Smith to inform them that I should be glad to see them, the next morning, Accordingly on the fourth, they came, and Mr. Calquhoun informed me of his errand, and said that he was very glad that Congress had appointed a Minister, because he hoped that the article of debts would now be accommodated to mutual satisfaction, without any application on their part, and he should be glad to return to Scotland without making any, provided he could be furnished with a reasonable account to give of himself to his constituents.

I told him, I was obliged to him for having given me an opportunity to see him; that the merchants of Glasgow must be sensible, we were but just emerged from an impoverishing war, in which there had been a great interruption of agriculture and commerce, and a still greater destruction of property, which rendered it difficult for any debtor, and impossible for many, to discharge their debts forthwith; that, I was persuaded there was a general disposition to discharge the debts, as fast as it could be done, but that time and patience were as much for the interest of the creditors as the debtors; that if there had been any interposition of the governments in America, it had been, as I presumed, solely with a view of giving time to negotiate an explication of the article of the treaty, and to prevent the imprudence of hasty creditors from hurting themselves as well as the debtors, to no good end; that one principal object of my mission was to negotiate this affair with the Minister, and although I was not authorized by the debtors, and could not be empowered by Congress, to treat with the

merchants of London and Glasgow, they might depend upon my devoting a full proportion of my time to this subject with the ministry, and should be always ready to hear any proposals, explanations, or arguments, even from individuals, and to transmit them to Congress, if they were such as merited attention; that it was thought very hard and unreasonable in America, that interest should be insisted on during the war, and that if the creditors could be brought to consent to relinquish it, and that a reasonable time should be allowed; I thought the whole might be arranged to mutual benefit and satisfaction; that creditors should consider that there was a great demand for clothing, stock, and utensils, to repair the waste of war, and to put estates into a condition to produce, and to set commerce in motion; that this, together with the zeal to pay as much of their debts as possible, had already raised the interest of money, even to an alarming height; that it must be better to allow the debtor time to turn himself, that he might pay all, rather than press him suddenly, so that he might not be able to pay more than a part, that if property were seized upon now, it might not produce half its value, whereas; left in the hands of the present possessor, it would enable him to employ it to such advantage as to pay his debts in time.

Mr. Calquhoun made no particular reply to the subject of interest, but said the merchants of Glasgow were fully sensible of the circumstances I had mentioned, and were very willing to wait, and they were desirous of entering into some agreement that the debts should be paid in five years by instalments, one fifth in a year; but they were alarmed at the spirit of migration into the

wilderness in America; they thought it wrong to be restrained from arresting the person or attaching property of a debtor whom they saw about to remove to Kentucky, and other places, where they could never be come at. I told him, that this was new to me, but that Kentucky, and all other new settlements, were under the laws and jurisdiction of some State, as I supposed, and, therefore, the debtor and his property would be within the reach of the creditor, as much as if he remained in the cities and old settlements, and, as those removals commonly advanced the fortunes of the emigrants, it might be rather a benefit to their creditors, by increasing the ability to pay. I subjoined that there were two things which fell very hard upon the debtors in the States of Virginia and New York, (for he had mentioned these particularly) one was, the great number of negroes which had been carried away. If these negroes had been restored according to the treaty, they would have been at work to earn money to pay their master's debts, but the carrying them off was a double loss to the owner, and the holding possession of the posts upon the frontiers, had kept out of our hands a valuable trade, which would have gone a great way to enable us to pay our debts.

He said he thought it a very foolish thing to hold possession of the posts, &c. That he would venture to return to Scotland, and would take no more measures about applying to parliament, which he was sensible must excite a clamor, and he hoped the merchants of Glasgow would be contented to wait. He seemed to be well pleased with the conversation, and took his leave in good humor, so that I think it very lucky that so noisy a business as a petition to parliament, should be so easily diverted at this critical moment.

But I am unfortunate in another respect, as my Lord Carmarthen is ill of a fever, so that I shall not, I fear, be able to commence conferences with him upon business so soon as hoped. No time shall be lost by me.

With great and sincere esteem, &c.

JOHN ADAMS.



FROM JOHN JAY TO JOHN ADAMS.

Office of Foreign Affairs, }
August 3, 1785. }

Dear Sir,

I have had the honor to receive and communicate to Congress your letters of the 15th December, 1784, 13th and 24th April, 4th, 5th, 7th, 8th, 13th 29th May, which enclosed your correspondence with Lord Carmarthen, 30th May, and 1st June.

April 24. Congress are pleased to hear that you have completed the loan in Holland; but have not directed me to say any thing of opening a new one. I wish I could answer you that the exertions of the States to provide for the payment of the public debts were proportionate to the public exigencies; at present, they are not; but we flatter ourselves that our expectations on that head will yet be realized, and the different legislatures, at their ensuing sessions, will see the necessity of adopting more efficient measures than have hitherto been taken.

I am entirely of opinion with you that the people of this country, should, by a punctilious observance of the treaty, enable you to insist with more propriety and

energy on its being kept with equal good faith by Britain. The case of the refugees is a delicate subject, and my sentiments respecting it perfectly correspond with yours.

The obliging terms in which you mentioned my appointment to this office, demand my warmest acknowledgments; be assured my endeavors shall not be wanting, so to conduct the business of this department as to confirm the opinion you entertain of my attention to it.

There is reason to believe that the demand of Mr. Longchamps will not be persisted in.

May 4th. I presume you will not receive a letter of recall from your legation to the Hague, until a successor shall be appointed. Governor Livingston was elected, but declined; and the answer of Governor Rutledge, who has since been appointed, is not yet arrived. Perhaps circumstances may admit of your making a trip to the Hague to take leave in form; if not, a letter mentioning, in general terms, the obstacles which detain you would probably be satisfactory to their high mightinesses.

The calamities experienced and apprehended by France from the unseasonable weather of the late spring are severe, and must naturally have the tendency you remark. I am happy to inform you that this country enjoys a plentiful harvest.

May 8th. If Britain should object to the powers of Congress to form treaties of commerce, it will probably be for the purpose of delay. There is no reason to suspect that the different States even wish to send Ministers to foreign powers in any other way than the one directed by the confederation. Nor is it more probable that Congress will refer their proper business to the

deliberation and discussion of the different legislatures; for such references would sap the foundation of federal government. Whether any and what measures may be necessary to obviate the difficulties you allude to on those points, will best be decided when the nature and extent of them can be ascertained. Your conferences with the Minister will soon put you in capacity to remove all doubts on that head.

May 13th. The attention paid you by the Duke of Dorset, strikes me as marks of his good sense; and the cautious manner in which he compared notes with you, shews that much is not to be expected from his frankness; but, whatever may be the intentions of his Court as to our frontiers, &c. and in whatever degree of silence and mystery they may wish to involve their designs, your first conversation with the Minister on those heads, must furnish you at least with a clue to them.

The expenses of the presentation of yourself and family, will doubtless be considerable, and I have long been of opinion that your salary is not equal to what the expenses of a Minister ought to be; for custom and fashion often exact a tribute, which however just and virtuous to refuse, is often very expedient to pay. In short, your salary is more than what a private gentleman may with care live decently upon, but is less than is necessary to enable you to live as other Ministers usually and generally do. Whether Congress will make any alterations in this respect is very uncertain. There are men in all the States who make a merit of saving money in small matters, without sufficiently attending to the consequences of it.

May 29th. I congratulate you sincerely on your

arrival in London; and I think you were very right in settling all matters of etiquette with the Marquis of Carmarthen previous to your presentation. A letter of credence to the Queen was, I believe, neither heard nor thought of here. I think it would be well to make further enquiries respecting that matter; so that we may form some judgment of the usual tenor and contents of such letters. I wish you had informed me whether such a letter could, with propriety, yet be sent you, or whether it would be better to be silent about the omission, and only take care not to repeat it on a future occasion. Your opinion would be the more decisive, because you may learn with certainty whether such a letter is yet expected from Congress. At any rate, I think it would be well to give assurances that the omission proceeded not from want of respect, but for want of information; for that, undoubtedly, was the fact.

May 30th. Your communicating to the Danish Minister a copy of the resolution of the 21st March was rendered very proper by M. de St. Saphorin's having been recalled.

On the 25th March last, the papers you alluded to respecting the Morocco business were forwarded to captain Lamb, by a messenger whom he sent for them. At what time exactly he sailed, I am not informed, though I am persuaded it must have been very soon after the return of his messenger.

June 1st. It gives me pleasure to hear that your reception at St. James's was such as you represent it. I flatter myself that the difficulties you expect to encounter will be surmounted, by the like address and temperate perseverance, which gave success to your negotiations in Holland.

I hope by the next conveyance to be enabled to communicate to you some directions of Congress, respecting the payment of the salaries of yourself and the other public Ministers and servants in Europe. I made a report on that subject to Congress the 1st April last, which is still under their consideration.

You will receive some of our latest newspapers, and the journal of Congress from the 1st March to 19th June last.

I have the honor to be, &c.

JOHN JAY.



FROM JOHN ADAMS TO JOHN JAY.

Bath Hotel, Westminster, June 10, 1785.

Sir,

Yesterday, the ninth of the month, I was presented to the Queen, by my Lord Ailesbury, her Lord Chamberlain, having been attended to his Lordship and introduced to him by the master of the ceremonies. The Queen was attended by her ladies, and I made my compliments to her Majesty in the following words:

"Madam,

"Among the many circumstances which have rendered my mission to his Majesty desirable to me, I have ever considered it as a principal one, that I should have an opportunity of making my court to a great Queen, whose royal virtues and talents, have ever been acknowledged and admired in America, as well as in all nations of Europe, as an example to Princesses and the glory of her sex. Permit me, Madam, to recommend to your

Majesty's royal goodness, a rising empire and an infant virgin world. Another Europe, Madam, is rising in America. To a philosophical mind, like your Majesty's, there cannot be a more pleasing contemplation, than this prospect of doubling the human species; and augmenting, at the same time, their prosperity and happiness. It will in future ages be the glory of these kingdoms to have peopled that country, and to have sown there those seeds of science, of liberty, of virtue, and permit me, Madam, to add, of piety, which alone constitute the prosperity of nations, and the happiness of the human race.

"After venturing upon such high insinuations to your Majesty, it seems to be descending too far, to ask, as I do, your Majesty's royal indulgence to a person, who is indeed unqualified for courts, and who owes his elevation to his distinguished honor of standing before your Majesty, not to any circumstances of illustrious birth, fortune, or abilities, but merely to an ardent devotion to his native country, and some little industry and perseverance in her service."

The Queen answered me in these words: "I thank you, Sir, for your civilities to me and my family, and am glad to see you in this country."

The Queen then asked me if I had provided myself with a house. I answered, I have agreed for one, Madam, this morning. She then made her courtesy, and I made my reverence and retired into the drawing room, when the King, Queen, Princess Royal and the younger Princess, her sister, all spoke to me very obligingly. I attended until the drawing room was over, and then returned home.

It has been necessary, in order to guard against false reports and malicious fictions, to reduce to writing what was said in my audience of the King and Queen, and it is the custom of all Ministers to transmit these compliments to their courts.

I transmit them to you in cypher, that they may be exposed to as little criticism as possible, as the Court knew very well that the eyes of all nations were fixed upon these audiences. It may be fairly concluded from them that it is the intention of the royal family and of Ministers to treat America like other foreign powers; but our inferences can go no farther. We cannot infer from this, that they will relax their navigation act for us, any more than for France. We are sure of one thing, that a navigation act is in our power, as well as in theirs, and that ours will be more hurtful to them than to us. In short, it is scarcely possible to calculate to what an height of naval power a navigation act will raise the United States in a few years.

With great esteem, &c.

JOHN ADAMS.



FROM JOHN ADAMS TO JOHN JAY.

Westminster, June 17, 1785.

Sir,

At three o'clock, according to appointment, I went to the Secretary of States' office, in Cleveland Row, St James's, and was immediately received by the Marquis of Carmarthen.

His Lordship began the conversation, by saying that

he could answer for himself, and he believed for the rest of the King's servants, that they were sincerely desirous of cultivating the most cordial friendship with America; and for doing every thing in their power for dissipating every little animosity that might remain among individuals. In return, I told his Lordship, that I was glad to hear such assurances from him and the other Ministers, and that I was very confident that the people of the United States had correspondent dispositions, and that I had sanguine hopes that in a short time all remaining difficulties would be amicably settled; that, to this end, I was charged by Congress with several particulars, which had hitherto given some uneasiness, but which, upon a candid discussion, might be easily accommodated, as I hoped, to mutual satisfaction. That there were six principal points to be discussed with his Lordship.—The first, and perhaps the most pressing, was the posts and territories within the limits of the United States, which were still held by British garrisons; the exportation of negroes and other American property, which, by the seventh article of the treaty of peace was not to be exported; the tendency of the restrictions on our trade to incapacitate our merchants to make remittances to theirs; the losses of our merchants as well as theirs, if we were unseasonably pressed for the payment of debts contracted before the war; the construction of the armistice of 20th January, 1783, and the decision of questions of captures made after the expiration of the month; and the liquidation of the charges of prisoners of war. These were the general heads. The great question of the commerce between the countries, involving so many interests, and those of so important and so permanent a

nature, might be attended with the most difficulties and require the longest time to be adjusted; but all the others appeared to be so clear and easy, that I hoped they might soon be finished, that, however, having barely opened to his Lordship, the principal matters of negotiation, I should not enlarge upon all of them at present;

That the debts seemed to be a leading point, because they were intimately connected with all the others. The withholding the posts, the exportation of so many negroes, the restrictions on our trade, the misconstruction of the armistice, and the delay of liquidating the charges of prisoners, had all contributed very much to obstruct our merchants in their honest exertions to discharge their debts to the merchants of Great Britain; that it could not be unknown to his Lordship, that the withholding the posts had withheld from our merchants a very profitable fur trade, which we justly considered as our right; that the furs which would have been obtained, if the posts had been in our hands, would have come to England in payment of debts to the amount probably of several hundred thousand pounds; and his Lordship must be sensible that one hundred thousand pounds a year more, would have gone a great way towards contenting the creditors of this country; that it was impossible to say what a difference had been made by carrying away the negroes, which belonged chiefly to the Southern States, and, if the treaty had been observed, would have been at work on their master's plantations, so that not only their original value, but their labor had been lost, all of which might and ought to have been applied to the payment of debts; that it was well known that a number of valuable vessels had been taken upon the coast of

America, after the expiration of the month, and as yet withheld from the owners, who were all probably debtors, which had incapacitated them so far to pay; that there was supposed to be a large balance in our favor in the account of the charges of prisoners, which being withheld, operated still to disable us, to that amount to do as we desired to do; that from all that I might be supposed to know of the character of the people of the United States, and from all the intelligence I could gather from all parts of them, I was persuaded that nothing lay with greater weight upon their minds, than the payment of their debts; that they thought their moral characters and their reputations as men, as well as their credit as merchants, concerned in it; that their zeal to make remittances had been such as to raise the interest of money to double its usual standard—to advance the price of bills of exchange to eight or ten per cent, above par, and to raise even the prices of the produce of the country to almost double its usual standard; that his Lordship well knew we had no other mines of gold and silver than our lands and seas; that large sums of the circulating cash we had, have been remitted to England in specie, and as much produce as could be purchased at almost any rate, but that this produce lay in magazines in London, because it would not fetch the price that was given for it in America.—That the people of America were nineteen-twentieths of them farmers, that these had sold their produce dearer, and purchased the manufactures of Europe cheaper, since the peace, than ever; but that the situation of the merchants, both in America and in England, had been, and continued to be, very distressing. No political arrangements having been made, they

had all expected that the trade would return to its old channels, and nearly under the same regulations ; but they had been disappointed—British merchants had made large advances, and American merchants contracted large debts, both depending upon remittances in the usual articles and upon the old terms, but both had found themselves disappointed, and it was much to be feared that the consequence would be numerous failures. That the cash and bills had been chiefly remitted to the great loss and danger to the country; that remittances could not be made as heretofore, by reason of obstructions, restrictions, and imposts laid by Great Britain on our exports to Great Britain; that neither rice, tobacco, pitch, tar, turpentine, ships, oil, nor other articles, the great sources of remittances formerly, could now be sent as heretofore, and the trade of the West Indies, formerly a vast source of remittance, was now obstructed ; that, under these circumstances, if the debtor should be immediately pressed by his British creditor, it would be a certain loss to both ; that it was apprehended, among a number of creditors, there might be some, perhaps many, influenced by strong passions; by keen avidity or by personal resentment, who might rashly make use of the law to the ruin of his debtor, without being able, however, to recover much of his debt. Here his Lordship interrupted me, and said, I have seen one remarkable instance of the violence and unreasonableness of private resentment, when Mr. Chase was here from Maryland, in one of the trustees of the Maryland stock. Mr. Chase produced from the Legislature of Maryland authority to make full compensation to a relation of that trustee from an estate that had been confiscated, but he would not accept it,

though I told him he would not be able to prevent the claim of Maryland, but would probably hurt his own interest or that of his relation. I told his Lordship I had yesterday received a letter from Mr. Paca the Governor of Maryland, relative to the claim of that State, and should be glad to do them any service with his Lordship or elsewhere, respecting that affair. That if his Lordship gave their full weight to all these considerations, he must see the motives and the necessity of restraining the impetuosity of creditors. His Lordship then read me, from a late petition to him from the merchants, on account of a bill lately brought into the Assembly of Virginia, for paying the debts by instalments, which he understood had been lost by a sudden storm or frost. The merchants complained of the cutting off the interest during the war, of the long term of years, and of the restraint from preventing the alienation of property, or of removal of debtors into the wilderness.

His Lordship heard me very attentively, and said that he hoped we should be able with patience and time to adjust all these things; that we should probably meet with many rubs in our way; that passion and private interest would sometimes be in our way, on both sides; but while the Ministers on both sides could keep right, he should think we might succeed; for his part, he was for attending to every consideration and giving it its just weight, and he desired me to give him in writing, something to begin upon. He thought the affair of the posts the most pressing, and wished I would begin with that. I told his Lordship that I would let him know between him and me, that I had instructions to require the evacuation of the posts, and surrender of all our territory, but

wished to conduct the business with all the delicacy that was possible, and, therefore, I wished rather to inquire of his Lordship, what were the intentions of his Majesty's Ministers, and whether they had already expedited orders, for the evacuation of the posts, &c. His Lordship said, I must give him my inquiries in writing, that he might have a ground for making those inquiries himself, as it was an affair in another Department. I agreed accordingly, to make an office of it.

I shall, at first, confine myself to decent inquiries concerning the orders given, or to be given, and if I receive positive assurances that explicit orders are gone to the Governor, and Commander-in-chief in Canada, to evacuate all the posts and territories, I shall content myself to wait; but if I do not obtain such explicit assurances, I shall think it my duty to present a memorial, with a decent, but firm requisition. I shall transmit to you, Sir, every step of my progress; but I find it very tedious, and fear you will find it more so, to transmit particular circumstances in detail; when one looks over again a letter in which he has attempted it, he finds a multitude of things omitted, or but half represented.

With great esteem, &c.

JOHN ADAMS.

P. S. I forgot a circumstance of some consequence. His Lordship said he had seen in the gazettes, some proceedings at Boston, which he was very sorry to see; I answered, that I had seen them in the same gazettes, as I supposed, and had no more authentic account of them; that I had no authority to say any thing, officially, about them, but, as an individual, I might say that the

observations I just had the honor to make to his Lordship concerning the state of the commerce between the two countries, would be sufficient to explain to his Lordship the motives to those proceedings, and to convince his Lordship of the probability of such sentiments and proceedings becoming general throughout the United States, and alienating the commerce of that country from this, either by increasing manufactures in America, or opening new channels of commerce with other countries, which might easily be done, unless some arrangements were made which might facilitate remittances. It was so obviously the true policy of this country to facilitate remittances from America, and to encourage every thing we could send, as the Americans think, that when they find remittances discouraged, impeded, and even prohibited, it was natural to expect they would be alarmed, and begin to look out for other resources; that my fellow citizens were very confident they had the power in their own hands to do themselves justice, as soon as they should find it denied them here, but I hoped the difficulties would all be removed here. The whole conference was conducted with perfect good humor, and, on the part of his Lordship, with perfect politeness.



FROM JOHN JAY TO JOHN ADAMS.

Office for Foreign Affairs, }
August 26, 1785. }

Dear Sir,

It gives me pleasure to inform you that your letters of 2d, 6th, and 17th June last, have been received and were

this day laid before Congress, who, I am persuaded, will read them with as much satisfaction as I have done. You have been in a situation that required much circumspection. I think you have acquitted yourself in a manner that does you honor.

The vessel that is to carry this sails in the morning, so that at present, I can only add my best wishes, and assure you that.

I am, &c.

JOHN JAY.

Report of Secretary Jay, on his letter of instruction to the American Minister at London.

Office of Foreign Affairs,
June 23, 1785. }

The Secretary of the United States for the Department of Foreign Affairs, to whom was referred his letter of the 19th ult., to his Excellency the President of Congress, reports thereupon,

That, in his opinion, it would be advisable to permit your Secretary to write a letter of the following tenor, in cyphers and by a private hand, to the Minister Plenipotentiary of the United States, at the Court of London, viz:

Sir,

It is more than probable that this letter will find you in London.

The manner of your reception at that Court and its temper, views and disposition respecting American objects

are matters concerning which particular information might be no less useful than it is interesting. Your letters will, I am persuaded, remove all suspense on those points.

While men or States are influenced by their passions and their interest alternately, without having reduced their pursuit of either to system, it is impossible to predict which of those motives will preponderate on certain occasions and render *certain* combinations of circumstances.

Hence it is uncertain how far and in what instances, the national ill temper of Britain towards this country may lead that kingdom to gratify it, at the expense of a more conciliating and advantageous policy.

It is well known that these countries, prior to the late war, carried on a valuable trade with Honduras and Campeachy, and employed above one hundred vessels in exchanging, at the English settlements, beef, pork, and other kinds of provision for logwood, mahogany, sarsaparilla, &c.

It being the policy of Spain to keep other nations at a distance from their American dominions, she beholds these settlements with pain and jealousy.

The uneasiness which subsists at present between those two nations on that subject, seems to offer us an opportunity of negotiating with the English for a participation in their right to cut logwood, or at least to trade with them as *formerly*.

They may perhaps think it expedient to strengthen their footing in those parts by interesting us in the advantages resulting from their continuing to maintain it.

It would not be difficult for you to sound the Minis-

ter so effectually, and yet circumspectly on this head, as to enable you to discern his disposition and sentiments on the one hand, and yet avoid committing either Congress or yourself, on the other, as the experiment, whether successful or not, can cost little, as in the one event, it may produce good, and the other no inconveniences can follow, I think it would be advisable to make it.

Various considerations of which I am sure you are apprised, render it necessary to manage this matter with caution and secrecy as well on account of those with whom you may have to negotiate, as of those who may eventually be affected or think themselves so by the issue.

The English and their Minister do not like us, and you know dislike and disgust, whether well or ill founded, always oppose and frequently exclude both confidence and candor; in such cases, therefore, constant provision and much circumspection are requisite.

Your knowledge of Spain and the political relation in which she stands to us and to others, make it unnecessary to observe that the measure in question would, if known, meet with strong, if not open opposition from that, and probably from other quarters.

I shall write another official letter to you by this conveyance and am, with great respect and esteem, &c.

All which is submitted to the wisdom of Congress.

JOHN JAY.

FROM JOHN ADAMS TO JOHN JAY.

Bath Hotel, Westminster, June 26, 1785.

Dear Sir,

By the ninth article of the confederation, the United States, in Congress assembled, have the sole and exclusive right and power of entering into treaties and alliances, provided, that no treaty of commerce shall be made, whereby the legislative power of the respective States shall be restrained from imposing such imposts and duties on foreigners, as their own people are subjected to, or from prohibiting the exportation or importation of any species of goods or commodities whatsoever.

I have ventured, Sir, in some former letters to you, notwithstanding the delicacy of tampering with the confederation, to suggest to your consideration, whether it may not be necessary for the States to re-consider this proviso, and give to Congress unlimited authority to enter into treaties of commerce with foreign powers, at least for a limited term of years. I have also inquired whether it might not be necessary for the States to confer upon Congress, authority to regulate the external commerce of all the members of the confederation for a like term of years.

If the States should hesitate at this, I am persuaded they would readily comply with recommendations of Congress to this effect. For example, if Congress should recommend to the legislatures of the States to lay duties, heavy duties, upon all British vessels entering into or clearing out of their ports, especially upon all vessels coming from or bound to the West India Islands, Nova Scotia, Canada, or Newfoundland, and upon all

merchandizes imported from, or exported to, any ports of the British dominions. I can scarcely doubt, that every legislature would immediately comply ; and by this means, our own navigation would be encouraged, and the British discouraged to such a degree as to compel the British government to enter into an equitable treaty ; nay, I cannot doubt the readiness of the States to comply with a recommendation of Congress wholly to prohibit British vessels and merchandizes.

Although I have been received here, and continue to be treated with all the distinction which is due to the rank and title you have given me, there is, nevertheless, a reserve, which convinces me, that we shall have no treaty of commerce until this nation is made to feel the necessity of it. I am every day astonished at the ignorance of all ranks of people of the relation between this country and ours, *cui bono* ? they cry. To what end a treaty of commerce, when we are sure of as much American trade as we have occasion for, without it ; the experiment has been tried, and the Americans have found that they cannot supply themselves elsewhere ; there must be *quid pro quo*, and what have the United States to give in exchange for the liberty of going in their own ships to our sugar colonies, and our colonies upon the continent ? These smart reasoners are answered, the Americans allow Britons to come in their own vessels to all their ports in the United States, and this is more than a *quid* for your *quo*. This is the true reciprocity, and while we allow you this liberty, we have a right to demand it in return. But, replies the Briton, you cannot avoid this, you have no government, you cannot agree to prohibit our ships and goods, or to lay

duties on them; then, says the American, you give up the argument of reciprocity, you confess that you are not willing to allow us a *quid* for your *quo*, and that you are disposed to take advantage of our supposed disunion, to get unequal benefits from us; but you will find yourselves disappointed in this disunion that you build so much upon, nothing but too much good nature to you, and too high an opinion of your wisdom, has prevented the States, hitherto, from uniting in a reciprocal discouragement of your ships and goods, but when the Americans find themselves deceived, you will soon see them too much united for your purposes. Such have been the dialogues in conversation for a year or two, and these ignorant sophisms of the Britons will never be confuted to any effect, until vigorous measures are taken by all the States in concert. Whatever measures are taken, I should recommend them to be taken upon this express proviso, to continue in force only until things shall be otherwise settled by a treaty of commerce.

I receive sometimes unexpected visits from persons, who I suppose are sent on purpose to say things to me, which they wish no doubt to have transmitted to you. Since the appearance of the resolutions of the merchants, traders and mechanics of Boston, I have several times fallen into company with persons, whose connexions I knew, and who have assumed very grave faces, and inquired about the disturbances at Boston, as they call them, and given very sage hints of their fears; that those proceedings would obstruct my success. A few days since, my servant announced Lord Hood, would be glad to see me if I was at leisure. I desired his Lordship might walk up. I was surprised, that among so many

visits of ceremony, his Lordship should not be content with leaving his card. But in the year 1768, I had appeared before him, then Commodore Hood, in a special Court of Admiralty for the trial of four sailors for killing Lieutenant Panton in defending themselves from his press gang; his Lordship took advantage of this very transient acquaintance of seventeen years standing to make me a friendly visit; he soon began a conversation about the Boston proceedings; it is not necessary to repeat what was said, as it was of no consequence for you to know, excepting that his Lordship was very sorry to see the account of those proceedings; was very much afraid they would obstruct the return of friendship and prove a bar to what he wished to see, a good treaty of commerce. I told his Lordship that those proceedings were prefaced with, "whereas there is no treaty of commerce," and as I understood them, they were not to be in force any longer than there should be no treaty of commerce. His Lordship concluded by saying that the sooner such a treaty was made the better, I had no doubt then, and have been confirmed by others since in the opinion, that his Lordship did not come of his own head.

All parties are upon the reserve, respecting American affairs; they are afraid of each other, and it is my clear opinion, that it is Congress and the States, and they alone, who can enable me to do any thing effectual; I may reason, till I die, to no purpose. It is unanimity, in America, in measures, which shall confute the British sophisms, and make them feel, which will ever produce a fair treaty of commerce.

With great esteem, &c.

JOHN ADAMS.

FROM JOHN JAY TO JOHN ADAMS.

Office for Foreign Affairs,
September 6, 1785. }

Dear Sir,

My last to you was of the 26th ultimo, in which I mentioned the dates of the letters with which you had honored me, and the receipt of which then remained unacknowledged; none from you have since arrived.

I have now the honor of transmitting to you, herewith enclosed, a copy of an act of Congress of the 18th ultimo. It contains a correspondence between the Governor of Massachusetts, and Captain Stanhope, the commander of a British frigate.

The style of the Captain's letters, being very reprehensible, occasioned the application to Congress, which produced the act in question, and I am persuaded that the views of Congress, in directing it to be communicated to the British Minister, will be promoted by the manner in which you will do it.

The frequent solecisms observable for some years past, in the politics of the Court of London, render it exceedingly difficult to divine how they will think and act under almost any given circumstances.

It is manifestly as much their interest to be well with us, as for us to be well with them, and yet the gratification of resentments, occasioned by disappointment, seems to take the lead of more elevated and useful principles of action.

They expect much from the trade of America, and yet they take pains to cut off every source within their reach, by which we make remittances. It is strange that they

should wish us to buy, and yet be so industrious to put it out of our power to pay. Such a system must cause loss of money to their merchants, and loss of reputation to ours. I wish most sincerely that credit was at an end, and that we could purchase nothing abroad but for ready money. Our exportations would then be equally profitable, and as our importations would be diminished, we should have less to pay—domestic manufactures would then be more encouraged, and frugality and economy become more prevalent.

What impression the conduct of Captain Stanhope may make on the Minister, to me appears uncertain—certain, however, it is, that mutual civility and respect must, in the nature of things, precede mutual benevolence and kindness. The manner of your reception and treatment, indicates their attention to this consideration, and yet the detention of the posts, the strengthening their garrisons in our neighborhood, the encouragement said to be given to settlers in these parts, and various other circumstances, speak a language very different from that of kindness and good will.

They may hold the posts, but they will hold them as pledges of enmity; and the time must and will come, when the seeds of discontent, resentment and hatred, which such measures always sow, will produce very bitter fruit. I am well informed that some of the loyalists advise, and warmly press, the detention of posts. It is strange that men who, for ten years, have done nothing but deceive, should still retain any credit. I speak of them collectively. Among them there are men of merit; but to my knowledge some of the most violent, the most bitter and implacable, and yet most in credit,

are men who endeavored to play between both parties, and vibrated from side to side as the appearances of success attracted them. Nay, the very accounts of losses which many of them have presented, afford conclusive evidence of their inattention to truth and common decency. Such, however, has been the infatuation of British councils, that what was manifest to others was problematical if not entirely dark to them.

As to their present Minister, he has neither been long enough in administration, nor perhaps in the world, for a decided judgment to be formed either of his private or public character. He seems to possess firmness as well as abilities, and if to these be added information and comprehensive as well as patriotic views, he may be worthy of his father. England will probably be much the better or much the worse for him.

We are anxious to receive letters from you on the subject of the posts, that in either event we may be prepared. In the one case, I should think it very justifiable in Congress to take a certain step that would be longer and more sensibly felt by Britain than the independence of these States.

Mr. Arthur Lee has been elected to the vacant place at the Board of Treasury.

Governor Rutledge declines going to Holland. The affair of Longchamps is adjusted—he stays where he is.

With great respect and esteem, &c.

JOHN JAY.

Extract from the Secret Journal, August 17, 1785.

“The Delegates for the Commonwealth of Massachusetts having laid before Congress a letter of the 8th, from his Excellency the Governor of that State, together with a copy of letters from Captain Stanhope, commander of the British frigate Mercury, to his Excellency James Bowdoin, Esquire, Governor of the Commonwealth of Massachusetts, and his Excellency’s answers to the two first of those letters—the same were referred to the Secretary for Foreign Affairs, who reported thereon. The letters and report are as follows:

*“Commonwealth of Massachusetts, Boston, August 8,
1785.*

“Gentlemen,

“Whatever concerns the honor of one of the United States, does in effect, in certain cases, concern the honor of all of them.

“This general observation applies to the conduct of Captain Stanhope, commander of his Britannic Majesty’s frigate Mercury, who, apprehending himself insulted, applied by his letter to me for redress. In which letter, he ‘recommends to me to adopt such measures, as may discover the ringleaders of the party that assassinated ‘him.’ See letter No 1. On receiving it, the Council being adjourned to a distant day, I sent for the only gentleman of that board in town, the honorable Mr. Adams, with whom I consulted on the affair. In consequence of the consultation, I sent Captain Stanhope an answer the same day. The answer points out to him the only way of redress, which our laws and constitution

admit, and which I myself, in a like case, if I took any, must have taken. See letter No. 2.

"This answer, however, did not comport with Captain Stanhope's high idea of himself, who seems to have thought, that some special mode of process was due to a person of his importance.

"In consequence of that idea, and after two days consideration of the matter, he sent me a letter, which you may probably think may be justly called a very insolent one; in which (but in his own mode of expression) he declares I gave him positive assurance of affording him and his officers protection; that my conduct contradicted that assurance and his expectations; that it does not satisfy him, nor does credit to myself; that he never received a letter so insulting to his senses, and that it was an evasion of his requisition; with a great deal more abuse, both expressed and implied. See letter No 3.

"The only part of the declaration it concerns me to notice is that in which my conduct is said to have contradicted the assurance I had given him of protection.

"This occasions a recurrence to two conversations I had with him, within a few days after his arrival here. From which time, until the first instant, I had been as I presumed in the good graces of Mr. Stanhope. In one of those conversations, which were principally relative to the recovery of a favorite servant, who he said, had deserted from him about a year before, he mentioned that he had been informed, he should probably meet with some insult before his departure, and said he should rely on my protection. I told him he might depend on every protection in my power to afford him; but that in

this country, as in England, the law is every man's protection, and that he would be as much entitled to it, during his stay here, as any man in the commonwealth; and in conformity to this idea, my letter to him was written.

I have here mentioned no more of the conversation than was needful to afford you some idea of the assurance, he says, I gave him of my protection. But in the course of it I told him further, that he must know from his own observation, that in large seaport towns, where there is a resort of all kinds of people and characters, quarrels and disturbances frequently happened; and that the seaport towns in England were remarkable for them. That he must be sensible that the new regulations of trade in England, which would finally operate to her own detriment, had disgusted the Americans in general, and had induced them to take measures to counteract those regulations; and, therefore, it was natural to expect he would hear sentiments thrown out, which might not be agreeable to him; but that I had no apprehension that any insult would be offered either to him or his officers. These observations, and many more, I thought proper to make, which a man of any discernment, and of the least goodness of disposition, might have applied to his own benefit; and to the exciting and promoting good humor in the people, among whom he happened to be.

As he says my conduct contradicted his expectations, it is probable he expected a proclamation should have been issued. This measure was thought of, but I did not think the occasion required it. His conduct for

three days after the affront, to the time of his going with his ship down to Nantasket on the evening of the third instant, manifested that he was under no apprehension of any attack upon him, for during that time, he and his officers went about the town and in the country as usual, and with as much freedom as any persons whatever. Knowing that the whole of my conduct, both public and private, had been such as merited at least a decency of behavior on his part, and sentiments very different from those expressed in his said letter; I wrote to him a short answer to it, which you will see in No. 4, to which he sent the reply contained in No. 5, justifying and repeating his insolence; and this finishes the correspondence. I have only to observe, that it is conceived the honor and dignity of this commonwealth, and through it the honor and dignity of the United States in general, are essentially wounded by the insolence of Captain Stanhope towards the chief magistrate of the former; that unless it be properly resented, every British officer of every British vessel, however insignificant, will, whenever an opportunity shall offer, insult the government of every State in the Union; and that a tameness under insult must, in the estimation of all foreigners, effectually destroy the national character and importance of the United States. If, after reading the annexed copy of letters which passed between the said Stanhope and me, you should be of that opinion, you will please to lay the same before the United States in Congress assembled, that they may take such measures concerning it, as their wisdom and a sense of their own honor shall dictate.

With the most perfect regard, I have the honor to be,
gentlemen, your most obedient servant,

JAMES BOWDOIN.

The honorable Elbridge Gerry, Samuel Holten, Rufus King, Esquires, Delegates in Congress for the Commonwealth of Massachusetts.

The letters from Captain Stanhope were, on the cover of each of them, thus superscribed: "On his Britannic Majesty's service.—To his Excellency Governor Bowdoin, &c. &c. &c. Boston."

No. 1.

Mercury, Boston Harbor, August 1, 1785.

Sir,

I am sorry to be obliged to represent to your Excellency, the continued insults and disgraceful indignities offered by hundreds in this town to me and my officers, which hitherto we have winked at, as well as the most illiberal and indecent language with which the newspapers have been filled; nor should I have troubled you now, had I not been pursued, and my life as well as that of my officers been endangered by the violent rage of a mob yesterday evening without provocation of any sort. I trust it needless to *recommend* to your Excellency to adopt such measures as may discover the ringleaders of the party that assassinated me, and bring them to public justice, as well as protect us from further insult.

I have the honor to be, &c.

HENRY STANHOPE.

To His Excellency Governor Bowdoin, &c. &c. &c.

No. 2.

Commonwealth of Massachusetts, }
Boston, August 1, 1785. }

Your letter of this date is now before me. It is a great misfortune that the subjects or citizens of different countries which have been at enmity, cannot easily recover that degree of good humor, which should induce them to treat each other with proper decorum, when the governments to which they respectively belong have entered into a treaty of amity and sheathed the sword. But you must have observed that disturbances, arising from this source too frequently happen, especially in populous seaport towns. If you have been insulted, and your life has been endangered in manner as you have represented to me, I must inform you, that our laws afford you ample satisfaction. Foreigners are entitled to the protection of the law as well as amenable to it, equally with any citizen of the United States, while they continue within the jurisdiction of this commonwealth. Any learned practitioner of the law, if applied to, will direct you to the mode of legal process in the obtaining a redress of injury, if you have been injured, and the judiciary courts will cause due inquiry to be made touching riotous and unlawful assemblies and their misdemeanors, and inflict legal punishment on such as by verdict of a jury may be found guilty.

I have the honor to be, sir, your most obedient humble servant,

JAMES BOWDOIN.

No. 3.

Mercury, Boston Harbour, August 2, 1785.

(N. B. This was sent August 3, P. M.)

Sir,

When I had the honor of applying to your Excellency to discountenance the disgraceful attacks made upon me and the officers of his Britannic Majesty's ship Mercury, under my command, and to afford us your protection, it was upon your positive assurance to that effect in their presence, I rested my hope. How much your conduct contradicts both that and my expectation, is too obvious either to satisfy me or even to do credit to yourself. For your Excellency must excuse me, when I remark, that I never received a letter so insulting to my senses, as your answer to my requisition of yesterday; I am however pleased in finding a much better disposition in the first class of inhabitants, whose assistance I am happy to acknowledge as the more acceptable after your apparent evasion from the substance of my letter; and however well informed your Excellency may believe yourself upon the laws and customs of nations in similar cases, allow me to assure you, there is not one, no, not even the ally of these States, that would not most severely reprobate either the want of energy in government, or disinclination of the governor to correct such notorious insults to public characters, in which light only we can desire to be received.

I have the honor to be, sir, your most obedient humble servant,

HENRY STANHOPE.

To his Excellency Governor Bowdoin.

to irritate and alienate the good will of the other. Under this view of the matter your Secretary thinks it would be proper to transmit these papers to the Minister of the United States at the Court of London, and to instruct him to communicate them to the British Minister, and to assure him,

1. That nothing but a desire to avoid increasing the irritation, which the late war may have produced in the two nations could have restrained the governor, from resenting the indecent conduct of Captain Stanhope, in a severe and exemplary manner.

2. To assure him, that Congress are persuaded that such behavior must give no less displeasure to his Majesty than it does to them; and that as all sovereigns must in a certain degree be affected by the conduct of their servants, Congress think that the justice due to his Majesty calls upon them to lay this information before him.

3. That Congress flatter themselves that this instance of delicacy and moderation will be ascribed to its proper motives, and be considered as evincive of a desire to prevent animosity and promote mutual good-will.

Your Secretary also thinks it would be proper to transmit a copy of this report to the governor of Massachusetts, and to assure him that Congress consider the dignity of each of the States as inseparably connected with that of the union. And therefore that it shall on every occasion experience their care and attention.

Resolved, That Congress agree to the said report.

Ordered, That a copy of this report, together with the foregoing letters, be transmitted to the executives of the several States.

FROM JOHN ADAMS TO JOHN JAY.

Grosvenor Square, Westminster, July 19, 1785.

Dear Sir,

Give me leave to propose for your consideration, and to request you to submit to the decision of Congress, whether it would not be proper that some measures should be taken to furnish your Ministers abroad with the laws of the several States, and more especially with such laws as may have a relation to external commerce, or any other foreign affair.

Information of this kind will be wanted at every Court, but more particularly here, and at this critical period. Our fellow citizens here, from all the States, have been very civil to me, in furnishing me with all the lights in their power, and this will ever be the case, it is to be hoped, wherever you have a Minister ; yet all the lights which individuals abroad can furnish, will be imperfect, though ever so carefully collected by a Minister, without the continual assistance of Congress and the States. I have been lately obliged to a fellow citizen (captain C. Miller) for the laws of New York, of the second meeting of the eighth session of the legislature, amongst which, to my great satisfaction, I find the United States, in Congress assembled, vested, for fifteen years, with powers to prohibit any goods, wares or merchandize from being imported into, or exported from, any of the United States, in vessels belonging to, or navigated by, the subjects of any power with whom the * * * * States shall not have formed treaties of commerce ; and also with powers of prohibiting the subjects of any foreign State, Kingdom or Empire, (unless authorized by treaty) from

importing into the United States, any goods, wares or merchandizes, which are not the produce or manufacture of the dominions of the sovereign whose subjects they are.

I read this act with pleasure, because it is very nearly all that is wanting. The legislature of New York have avoided giving to the United States the power of imposing, equalizing or retaliating duties, and I cannot say that they are not right in this, although it is very probable such duties will be indispensable. Such duties, if laid by any State, should be laid by all; and if the States will, in such cases, respect the recommendations of Congress, this may be sufficient. If we enter into treaty with England, how shall we manage this subject? shall we stipulate that Britain shall pay in our ports no higher duties than the most favored nations shall pay, in return for her stipulating that Americans shall pay in her ports no higher duties than the most favored nation pays? This would be unequal, because the most favored nation pays in British ports much greater imposts, than the nation the most favored by the United States pays in our ports. If we enter into such stipulation, the consequence will be, that, in order to form an equality, we must impose enormous duties, not only upon British subjects, but upon all other nations. For example, the most favored nation pays in England upon oil, eighteen pounds three shillings sterling per ton. If we attempt to equalize and retaliate, we must lay on the amount of this upon the importation of goods from all other nations, a measure that may be very inconvenient to us, should we not then endeavor to obtain a stipulation, that Americans shall pay in British ports,

no higher duties than British subjects? No doubt, to obtain this, we must stipulate that Britons shall pay in our ports no higher duties than our citizens, and even this will be unequal, because that duties in general are higher in England than in America. This, however, cannot be avoided, and as it is our felicity, we have less cause to repine at it. But if the British Ministry should refuse to go farther than the mutual privilege of the most favored nation, we shall have no remedy but in equalizing duties, which it will be absolutely necessary to lay on, in order to do ourselves justice ; this cannot be done, but by a concert of all the States ; if such a concert can be effected by recommendations of Congress, so much the better, if it cannot ; I see no other remedy but to give Congress the power.

This nation relies upon it, that our States can never accomplish such a concert, either by giving Congress the power, or by complying with their recommendations. Proofs of this are innumerable. Lord Sheffield's writings; the constant strain of all the writings in the newspapers; the language of conversation; the report of the Committee of Council; but above all, the system adopted by the Duke of Portland's administration and uniformly pursued by him and his successor, Mr. Pitt, are a demonstration of it; for although many express a contempt of the American commerce, (and I am sorry to say that even Lord Cambden has lately said, that while they had a monopoly of the American trade, it was a valuable thing, but now they had not, thought very little of it.) Yet those of the Ministry and nations who understand any thing of the subject, know better, and build all their hopes and schemes, upon the supposition of such

divisions in America as will forever prevent a combination of the States, either in prohibitions or retaliating duties. It is true, that the national pride is much inflated at present, by the course of exchange, which is much in their favor, with all parts of the world, and disposes them to think little of American commerce. They say that the progress of fine arts in this kingdom has given to their manufacturers a taste and skill, and to their productions an elegance, cheapness and utility so superior to any others, that the demand for their merchandizes from all parts of Europe is greater than ever; that even Lord North's prohibiting bill has contributed to this advantage, by occasioning a demand amongst foreigners during the war, for goods to supply America. The knowledge and taste for British manufactures, they say has been, by this means, spread all over Europe, and the demands for them multiplied, which has turned the balance so much in their favor, and caused such an extraordinary influx both of cash and bills of exchange into these kingdoms. Those who reflect more maturely upon this, however, see that this advantage is but temporary; (if it is one) they say that the long stagnation of business by the war, had filled the country with manufactures; that upon the peace, extraordinary efforts were made to dispose of them, by sending factors abroad, not only to America but to all parts of Europe; that these factors have not only sold their goods at a low price, but have sent home cash and bills at an high one, so that their own factors have turned their course of exchange in their favor (in appearance, and for the present moment only) at their expense, for the loss both upon the sale of goods, and the purchase of remittances is theirs,

if these conjectures are right, the present appearance of prosperity will be succeeded by numerous failures and great distress. Be this as it may, the present appearance has produced a self-sufficiency which will prevent for some time any reasonable arrangement with us. The popular pulse seems to beat high against America.

The people are deceived by numberless falsehoods industriously circulated by the gazettes and in conversation, so that there is too much reason to believe, that if this nation had another hundred million to spend, they would soon force the Ministry into a war against us. The Court itself, whatever may be thought of it, appears at present to be the principle barrier against a war, and the best disposed towards us, and whether they are restrained by any thing beside their own poverty may be justly questioned. Their present system, as far as I can penetrate it, is to maintain a determined peace with all Europe, in order that they may war singly against America, if they should think it necessary.

Their attachment to their navigation act, as well as that of all other parties here, is grown so strong, and their determination to consider us as foreigners, and to undermine our navigation, and to draw away our seamen, is so fixed in order to prevent us from privateering in case of a war, that I despair of any equal treaty, and therefore of any treaty, until they shall be made to feel the necessity of it. It cannot, therefore, be too earnestly recommended to all the States to concur with the State of New York in giving to Congress full power to make treaties of commerce, and, in short, to govern all our external commerce; for I really believe it must come to that, whether prohibitions or high duties will be most

politic is a great question, duties may be laid, which will give a clear advantage to our navigation and seamen, and these would be laid by the States, upon the recommendations of Congress, no doubt, as soon as the principle is admitted that it is necessary that our foreign commerce should be under one direction. You will easily infer from all this, that I have no hopes of a treaty before next spring, nor then, without the most unanimous concurrence of all our States in vigorous measures, which shall put out of all doubt their power and their will to retaliate.

With great esteem, I am, &c.

JOHN ADAMS.



FROM JOHN ADAMS TO JOHN JAY.

Grosvenor Square, Westminster, July 29, 1785.

Sir,

I have the honor to enclose a copy of a letter to the Marquis of Carmarthen, of the 14th July, another of the 27th, with a project of a declaration concerning the construction of an armistice, and another of this date, with a project of a treaty of commerce. It is high time something should be done to turn the attention of administration to the relation between this country and the United States, and it seemed most advisable to lay the project of a treaty directly before the Ministry, rather than first negotiate the appointment of any other Minister to treat with me, than the Marquis of Carmarthen, himself. If I had first proposed the appointment of a Minister, they would have procrastinated the business

for six months and perhaps twelve, before I could have communicated any thing to them ; now they can have no excuse. The offer is made, and hereafter they may repent of their error, if they do not accept it, or something nearly like it immediately. I am very sensible it will greatly embarrass the administration, because most of them, I believe, are sensible that some such treaty must be one day agreed to, and that it would be wise to agree to it now, but they are afraid of oppositions from many quarters. I must not, however, disguise my real sentiments. The present Ministry are too much under the influence of Chalmers and Smith, and others of that stamp, and have been artfully drawn into so many manifestations of a determination to maintain their navigation laws relatively to the United States, and of a jealousy of our naval powers, small as it is, that I fear they have committed themselves too far to recede. Their Newfoundland act, as well as their proclamations, and the fourth of their Irish propositions, are in this style. I have no expectation that the proposed treaty will be soon agreed to, nor that I shall have any counter project, or indeed any answer for a long time ; it is very apparent, that we shall never have a satisfactory arrangement with this country, until Congress shall be made by the States, supreme in matters of foreign commerce, and treaties of commerce, and until Congress shall have exerted that supremacy with a decent firmness.

I am, with great esteem, &c.

JOHN ADAMS.

FROM JOHN ADAMS TO LORD CARMARTHEN.

Grosvenor Square, July 14, 1785.

My Lord,

The twenty-second article of the preliminary treaty of peace between Great Britain and France, signed on the 20th of January, 1783, is in these words, viz: "In order to prevent all causes of complaint and dispute which may arise on account of prizes that may be taken at sea, after the signing of these preliminary articles, it is reciprocally agreed, that the vessels and effects which may be taken in the channel, and in the north seas, after the space of twelve days, to be computed from the ratification of those preliminary articles, shall be restored on each side. *That the term shall be one month from the channel and the north seas, as far as the Canary Islands inclusively, whether in the ocean or in the Mediterranean; five months from the said Canary Islands as far as the said equinoctial line or equator; and lastly, five months in all other parts of the world, without any exception or any other distinction more particular of time and place.*"

In the preliminary articles of peace between Great Britain and Spain, a cessation of hostilities was stipulated in the same manner. On the same twentieth of January, it was agreed between the Minister Plenipotentiary of his Britannic Majesty on the one part, and the Ministers Plenipotentiary of the United States of America on the other, that the subjects, citizens and possessions of both powers should be comprised in the suspension of arms above mentioned, and that they should consequently enjoy the benefits of the cessation of hostilities

at the same periods, and in the same manner, as the three crowns aforesaid, and their subjects and possessions, respectively. It appears, however, that many vessels which were taken after the expiration of one month from the 3d of February, 1783, the day of the ratification of the said preliminary articles, within that part of the ocean which lies between the channel and north seas, and the Canary Islands, have not been restored; but, on the contrary, in some instances, such vessels have been condemned as lawful prizes upon an opinion that the words "as far as," said to be used in the preliminary articles, meant the distance from Paris to the southernmost part of the Canaries.

It must be obvious to your Lordship, that this construction is extremely foreign from the intention of the contracting parties who never had Paris in contemplation as a boundary of the region of one month, nor as any limit of a measure of distance. The channel and north seas being expressly marked as the northern boundary, and the southernmost Canary as the southern, and every part of the ocean, from the channel and north seas, up to the Canary Islands, inclusively, is comprehended.

Indeed, the words "as far as," are scarcely a proper translation of the words "*jusqu'aux*," in the article of the treaty. The original words are "*depuis la Manche et les Mers du nord jusqu'aux Isles Canaries*," and not "*depuis Paris jusqu'aux Isles, &c. &c.*"

The intention of the contracting parties is so clear, and their expression so plain, that it is not easy to account for the misinterpretation of them; but as many lawsuits are depending upon the point, and several Ameri-

cans are now in London waiting the decision of them, I do myself the honor to propose to your Lordship a particular convention to determine all those controversies, on both sides, by inserting the words "*jusqu'à la latitude des Isles Canaries,*" instead of "*jusqu'aux Isles Canaries,*" and also the words, "*depuis la latitude des dites Isles Canaries,*" instead of "*des dites Isles Canaries,*" it being apparent from the mention of Mediterranean, as in the same stage of one month between the channel and north seas on the north, and the Canaries on the south, and the equinoctial line as the next stage, that the line of latitude of the southern Canary was intended.

I have the honor to be, &c.

JOHN ADAMS.



FROM JOHN ADAMS TO LORD CARMARTHEN.

Grosvenor Square, July 27, 1785.

My Lord,

Since the letter which I did myself the honor to write to your Lordship, relative to the construction of the armistice, I have received further information from America, which I beg leave to communicate to your Lordship.

The first judgment rendered on a mistaken interpretation of the armistice appears to have been at New York, where all American vessels taken within the second month were condemned as lawful prize by the Judge of Admiralty. The fame of these decrees having reached Connecticut and Rhode Island, it is said that similar

decrees were rendered, by the inferior Courts of Admiralty there, against British vessels. There is, my Lord, a Court of Admiralty in each of the United States, but by our constitution an appeal lies from all of them to a Court appointed by the United States in Congress assembled, for receiving and determining finally appeals in all cases of capture.

If the parties interested in the decrees in Connecticut and Rhode Island, had appealed to the Supreme Court, those decrees would certainly have been reversed; because every cause, which ever came before that Court, upon the point in question has been decided in favor of the British owner of the vessel; and should a declaration be now made of the true intention of the contracting parties, the British owners, against whom the decrees were rendered in Connecticut and Rhode Island, may still appeal and have justice, if the time limited is not passed; if it is, by an application to the legislatures of those States, there is no doubt to be made, that an appeal would be granted under the present circumstances, notwithstanding the lapse of time.

The decisions in the Court of Admiralty of Massachusetts, and all other States have been conformable to the judgment of the Supreme Court of Appeals; that is to say, conformable to the true intention of the armistice; and it is with pleasure that I add, the judgments of his Majesty's Court of Admiralty, at Halifax, have been the same way.

The words of the armistice are supposed to be the same which have been constantly used in every treaty of peace for the last hundred years, and it is not known that there ever was before any doubt or difference of

opinion concerning the construction of them. In order to establish confidence between the two countries, my Lord, it is necessary there should be a mutual confidence in each other's tribunals of justice, which can hardly exist while such various interpretations are given of so plain a point, by different Courts in each nation.

In order to settle all disputes upon this subject upon one principle, I have the honor to propose to your Lordship that a declaration should be made in the form enclosed, or to the same effect in any other form, which to your Lordship may appear more proper.

With great respect, &c.

JOHN ADAMS.

DECLARATION.

WHEREAS, by the first article of the Preliminary Treaty of Peace, between the crown of Great Britain and the crown of France, signed at Versailles, on the twentieth of January, 1783, it was stipulated in these words, viz :

"As soon as the preliminaries shall be signed and ratified, sincere friendship shall be re-established between His Most Christian Majesty and His Britannic Majesty; their Kingdoms, States, and subjects, by sea and by land, in all parts of the world; orders shall be sent to the armies and squadrons, as well as to the subjects of the two powers, to stop all hostilities, and to live in the most perfect union; to forget the past, their Sovereigns showing the example, and for the execution of this article, sea-passes shall be given on each side for the ships which

shall be despatched to carry the news of it to the possessions of the said powers."

And by the 22nd article of the same treaty it was stipulated in these words :

" In order to prevent all causes of complaint and dispute which may arise on account of prizes that may be taken at sea after the signing of these preliminary articles; it is reciprocally agreed that the vessels and effects which may be taken in the channel and in the north seas, after the space of twelve days, to be computed from the ratification of these preliminary articles; shall be restored on each side; *that the term shall be one month from the channel and the north seas, as far as the Canary Islands, inclusively*; whether in the ocean or in the Mediterranean; two months from the said Canary Islands, as far as the said equinoctial line or equator; and lastly, five months in all other parts of the world, without any exception or any other distinction, more particular, of time and place.

" And whereas, on the said twentieth day of January, 1793, it was agreed, and by instruments signed by the Minister Plenipotentiary of his Britannic Majesty, in behalf of his Majesty on one part, and by the Minister Plenipotentiary of the United States of America in behalf of the said United States on the other: It was mutually declared, that the said United States of North America, their subjects, and their possessions, and his Britannic Majesty, his subjects and possessions, should be comprised in the suspension of arms abovementioned, and that they should consequently enjoy the benefit of the cessation of hostilities at the same periods and in the

same manner as the crowns aforesaid, and their subjects and possessions respectively: And whereas, a doubt has arisen, and a question has been made, concerning the sense and intention of the high contracting parties, by the words, "*d'un mois depuis la Manche et les Mers du Nord jusqu'aux Isles Canaries, inclusivement,*" and by the words, "*de deux mois depuis les dites Isles Canaries jusqu'à la ligne équinoxiale.*"

Now, in order to remove all such doubts and questions, and to the end that the same rule of justice may take place in all the Courts of justice, in both nations, it is hereby agreed and declared by _____ in the name and behalf of his Majesty, the King of Great Britain, and _____, Minister Plenipotentiary of the United States of America, to the Court of Great Britain, on the other, in the name and behalf of the said United States, that the line of latitude of the southernmost Canary Island was intended by the said contracting parties, and that the armistice aforesaid ought to be every where understood and construed in the same manner as if the words had been, "from the channel and the north seas to the latitude of the Canary Islands inclusively," and "from the latitude of the said Canary Islands to the equinoctial line;" and that all judgments and Decrees of Courts of justice of either of the parties to this declaration, rendered upon any different construction of the armistice aforesaid, ought to be reversed.

Done at Westminster, the

FROM JOHN ADAMS TO LORD CARMARTHEN.

Grosvenor Square, July 29, 1785.

My Lord,

The course of commerce since the peace, between Great Britain and the United States of America, has been such as to have produced many inconveniences to the persons concerned in it on both sides, which become every day more and more sensible. The zeal of Americans to make remittances to British merchants has been such as to raise the interest of money to double its usual standard, to increase the price of bills of exchange to eight or ten per centum above par, and to advance the price of the produce of the country to almost double the usual rate. Large sums of the circulating cash and as much produce as could be purchased, at almost any rate, have been remitted to England; but much of this produce lies in store here, because it will not fetch, by reason of the duties and restrictions on it, the price given for it in America. No political arrangements having been made, both the British and American merchants expected that the trade would have returned to its old channels, and nearly under the same regulations, found by long experience to be beneficial, but they have been disappointed; the former have made advances, and the latter contracted debts, both depending upon remittances in the usual articles and upon the ancient terms; but both have found themselves mistaken, and it is much to be feared that the consequences will be numerous failures. Cash and bills have been chiefly remitted; neither rice, tobacco, pitch, tar, turpentine, ships, oil, nor many other articles, the great sources of remittances formerly, can now be

sent as heretofore, because of restrictions and imposts, which are new in this commerce and destructive of it; and the trade with the British West India Islands, formerly a vast source of remittance, is at present obstructed.

These evils, my Lord, as far as they merely affect the United States, should not be offered to your Lordship's consideration. They are proper subjects for the deliberations of Congress, and the legislatures of the several States, but as far as they affect the merchants and manufactures of Great Britain and Ireland, and as far as they affect the general system of commerce, revenue, and policy of the British Empire, your Lordship will undoubtedly give them their due weight. There is a literal impossibility, my Lord, that the commerce between the two countries can continue long to the advantage of either, upon the present footing. The evils already experienced will be much increased and more severely felt, if the causes of them are permitted much longer to operate. It is the desire of the citizens of the United States to cultivate the most friendly intercourse with the King's subjects, and it will be with regret that they shall see the necessity of searching for other resources, as substitutes for British commerce, either in other countries or in manufactures at home. Whether it is not putting at hazard too material an interest to risk an alienation from these kingdoms of the American commerce, or any considerable part of it, for the sake of the advantages that can be obtained by the present restrictions on it, is a question, which must be submitted to your Lordship's consideration.

In order to bring this subject, so momentous to both

countries, under a candid discussion, I do myself the honor to enclose to your Lordship, and to propose to the consideration of his Majesty's Ministers, a project of a fair and equitable treaty of commerce between his Majesty and the United States of America, prepared in conformity to the instructions of Congress, and submit it entirely to your Lordship to decide, whether the negotiation shall be conducted with your Lordship, or with any other person, to be invested with powers equal to mine, to be appointed for the purpose.

With great respect, &c.

JOHN ADAMS.

*Minister Plenipotentiary from the United States
of America to the Court of Great Britain.*



*Draught of a Treaty of Amity and Commerce between his
Britannic Majesty and the United States of America.*

The parties being willing to fix, in a permanent and equitable manner, the rules to be observed in the commerce they desire to establish between their respective countries, have judged that the said end cannot be better obtained than by taking the most perfect equality and reciprocity for the basis of their agreement; on these principles, after mature deliberation, they have agreed to the following articles :

ARTICLE I. There shall be a firm, inviolable and universal peace and sincere friendship between his Britannic Majesty, his heirs, successors, and subjects on the one part, and the United States of America and their

citizens on the other, without exception of persons or places.

ARTICLE II. The subjects of his Britannic Majesty may frequent all the coasts and countries of the United States, and reside and trade there in all sorts of produce, manufactures and merchandize, and shall pay within the said United States of America, no other or greater duties, charges or fees whatsoever, than the *citizens of the United States themselves* are or shall be obliged to pay, and they shall enjoy all the rights, privileges and exemptions, in navigation and commerce, which the *citizens of the said United States themselves do or shall enjoy*.

ARTICLE III. In like manner, the citizens of the United States of America may frequent all the coasts and countries of his Britannic Majesty, and reside and trade there in all sorts of produce, manufactures and merchandize, and shall pay in the dominions of his said Majesty, no other or greater duties, charges or fees, whatsoever, than the natural born subjects of Great Britain themselves, are, or shall be obliged to pay, and they shall enjoy all the rights, privileges and exemptions in navigation and commerce, which the natural born subjects of Great Britain do or shall enjoy.

ARTICLE IV. More especially, each party have a right to carry any kinds of produce, manufactures and merchandize, of whatever place they be the growth or manufacture, in their own or any other vessel, to any ports or dominions of the other, where it shall be lawful for all persons freely to purchase them and thence to take produce, manufactures and merchandize of whatever place or growth, which all persons shall, in like manner, be free to sell them, paying in both cases such duties,

charges and fees only as are or shall be paid by the natural born subjects or citizens ; nevertheless, each party reserves to itself the right, where any nation restrains the transportation of merchandize to the vessels of the country of which it is the growth or manufacture, to establish against such nation retaliating regulations ; and also the right to prohibit in their respective countries the exportation or importation of any species of goods or commodities, whatsoever, when reasons of State shall require it. In this case, the subjects or citizens of either of the contracting parties shall not import nor export the merchandize prohibited by the other ; but if one of the contracting parties permits any person of their own or any other nation to import or export the same merchandize, the citizens or subjects of the other shall immediately enjoy the same liberty.

ARTICLE V. All merchants, commanders of vessels and other subjects and citizens of each party, shall have free liberty, in all places within the dominion or jurisdiction of the other, to manage their own business themselves, or to employ whomsoever they please to manage the whole or any part thereof for them ; and shall not be obliged to make use of any interpreter, broker or other person whatsoever, nor to pay them any salary or fees, unless they choose to make use of them ; moreover, they shall not be obliged in loading or unloading their vessels to make use of these workmen who may be appointed by public authority for that purpose, but it shall be entirely free for them to load or unload them by themselves, or to make use of such persons in loading or unloading them as they shall think fit, without paying any fees or salary to any other whomsoever ; neither

shall they be forced to unload any sort of merchandize into any other vessels, or to receive them into their own, or to wait for their being loaded longer than they please.

ARTICLE VI. That the vessels of either party loading within the ports or jurisdiction of the other, may not be uselessly harrassed or detained, it as agreed that all examinations of goods required by the laws shall be made before they are laden on board the vessel, and that there shall be no examination after; nor shall the vessel be searched at any time unless articles shall have been laden therein clandestinely and illegally, in which case, the person by whose order they were carried on board, or who carried them without order, shall be liable to the laws of the land in which he is. But no other person shall be molested, nor shall any goods nor the vessel be seized or detained for that cause.

ARTICLE VII. Each party shall endeavor by all the means in their power, to protect and defend all vessels and other effects belonging to the citizens or subjects of the other, which shall be within the extent of their jurisdiction by sea or by land, and shall use all their efforts to recover and cause to be restored to the right owner, their vessels and effects which shall be taken from them within the extent of their said jurisdiction.

ARTICLE VIII. The vessels of the subjects or citizens of either party coming on any coast belonging to the other, but not willing to enter into port, or being entered into port, and not willing to unload their cargoes or break bulk, shall have liberty to depart and pursue their voyage without molestation, and without being obliged to pay any duties, charges, or fees whatsoever, or to render any account of their cargo.

ARTICLE IX. When any vessel of either party shall be wrecked, foundered, or otherwise damaged on the coasts or within the dominion of the other, their respective subjects or citizens shall receive, as well for themselves, as for their vessels and effects, the same assistance which would be due to the inhabitants of the country where the damage happens, and shall pay the same charges and dues only as the said inhabitants would be subject to pay in a like case; and if the operations of repair shall require that the whole or any part of their cargo be unloaded, they shall pay no duties, charges, or fees on the part which they shall relade and carry away.

The ancient and barbarous right to wrecks of the sea shall be entirely abolished, with respect to the subjects or citizens of the two contracting parties.

ARTICLE X. The citizens or subjects of each party shall have power to dispose of their personal goods within the jurisdiction of the other by testament, donation or otherwise; and their representatives, being subjects or citizens of the other party, shall succeed to their said personal goods, whether by testament or *ab intestato*; and may take possession thereof, either by themselves or by others acting for them, and dispose of the same at their will, paying such dues only as the inhabitants of the country wherein the said goods are, shall be subject to pay in like cases, and in case of the absence of the representative, such care shall be taken of the said goods, and for so long a time, as would be taken of the goods of a native in like case until the lawful owner may take measures for receiving them; and if questions shall arise among several claimants to which of them the said goods belong, the same shall be decided finally by the laws and judges

of the land wherein the said goods are, and where, on the death of any person, holding real estate, would, by the laws of the land, descend on a citizen or subject of the other, were he not disqualified by alienage, such subject shall be allowed a reasonable time to sell the same, and to withdraw the proceeds without molestation.

ARTICLE XI. The most perfect freedom of conscience and of worship is granted to the citizens or subjects of either party within the jurisdiction of the other, without being liable to molestation in that respect for any cause other than an insult on the religion of others; moreover, when the subjects or citizens of the one party, shall die within the jurisdiction of the other, their bodies shall be buried in the usual burying grounds, or other decent and suitable places, and shall be protected from violation or disturbance.

ARTICLE XII. If one of the contracting parties should be engaged in war with any other power, the free intercourse and commerce of the subjects or citizens of the party remaining neutral with the belligerent powers, shall not be interrupted; on the contrary, in that case, as in full peace, the vessels of the neutral power may navigate freely to and from the ports and on the coasts of the belligerent parties, free vessels making free goods, insomuch that all things shall be adjudged free which shall be on board any vessel belonging to the neutral party, although such things belong to an enemy of the other; and the same freedom shall be extended to persons who shall be on board a free vessel, although they should be enemies to the other party. unless they be soldiers or public characters in actual service of such enemy; on the other hand, enemy vessels, shall make enemy goods, insomuch that,

whatever shall be found in the vessels of an enemy shall be confiscated without distinction, except such goods and merchandize as were put on board such vessel before the declaration of war, or within six months after it, which shall be free.

ARTICLE XIII. And in the same case of one of the contracting parties being engaged in war with any other power, to prevent all the difficulties and misunderstanding that usually arise respecting the merchandize heretofore called contraband, such as arms, ammunition, and military stores of every kind, no such articles, carried in the vessels or by the subjects or citizens of one of the parties to the enemies of the other, shall be deemed contraband so as to induce confiscation or condemnation and a loss of property to individuals. Nevertheless, it shall be lawful to stop such vessels, and to make them unlade such articles in the nearest port, putting them under safe keeping, or to detain them for such length of time as the captors may think necessary to prevent the inconvenience or damage that might ensue from their proceedings, paying, however, a reasonable compensation for the loss such arrest shall occasion to the proprietors; or it shall be allowed to use, in the service of the captors, the whole or any part of the military stores so detained, paying the owners the full value of the same, to be ascertained by the current price at the place of its destination. But in the case of a vessel so stopped for articles heretofore deemed contraband, if the master will deliver out the goods supposed to be of contraband nature, he shall be admitted to do it, and the vessel shall not, in that case, be carried into any port, nor further detained, but shall be allowed to proceed on her voyage; nor shall any such

articles be subject to be taken or delayed in any case, if they be not in greater quantity than may be necessary for the use of the ship, or of the persons in it.

ARTICLE XIV. And in the same case where one of the parties is engaged in war with another power, that the vessels of the neutral party may be readily and certainly known, it is agreed that they shall be provided with sea letters or passports, which shall express the name, the property and burthen of the vessel, as also the name and dwelling of the master; which passports shall be made out in good and due forms, to be settled by convention between the parties whenever occasion shall require; shall be renewed as often as the vessel shall return into port, and shall be exhibited whenever required as well in the open sea as in port. But, if the said vessel be under convoy of one or more vessels of war belonging to the neutral party, the simple declaration of the officer commanding the convoy, that the said vessel belongs to the party of which he is, shall be considered as establishing the fact, and shall relieve both parties from the trouble of further examination.

ARTICLE XV. And to prevent entirely all disorder and violence in such cases, it is stipulated that when the vessels of the neutral party, sailing without convoy, shall be met by any vessel of war, public or private of the other party, such vessel of war shall not approach within cannon shot of the said neutral vessel, nor send more than two or three men in their boat on board the same to examine her sea letters or passports, and all persons belonging to any vessel of war, public or private, who shall molest or injure in any manner whatever the people, vessel, or effects of the other party, shall be

responsible in their persons and property for damages and interest, sufficient security for which shall be given by all commanders of private armed vessels, before they are commissioned.

ARTICLE XVI. It is agreed that the subjects or citizens of each of the contracting parties, their vessels and effects, shall not be liable to any embargo or detention on the part of the other, for any military expedition or other public or private purpose whatsoever; and in all cases of seizure, detention, or arrest for debts contracted, or offences committed by any citizen or subject of the one party, within the jurisdiction of the other, the same shall be made and prosecuted by order and authority of law only, and according to the regular course of proceedings usual in such cases.

ARTICLE XVII. If any vessel or effects of the neutral power be taken by an enemy of the other, or by a pirate, and retaken by that other, they shall be brought into some port of one of the parties, and delivered into the custody of the officers of that port, in order to be restored entire to the true proprietor, as soon as due proof shall be made concerning the property thereof.

ARTICLE XVIII. If the citizens or subjects of either party, in danger from tempests, pirates, enemies, or other accident, shall take refuge with their vessels or effects within the harbors or jurisdiction of the other, they shall be received, protected and treated with humanity and kindness, and shall be permitted to furnish themselves, at reasonable prices, with all refreshments, provisions and other things necessary for their sustenance, health, and accommodation for the repair of their vessels.

ARTICLE XIX. The vessels of war, public and private, of both parties, shall carry freely, wheresoever they please, the vessels and effects taken from their enemies, without being obliged to pay duties, charges or fees to officers of admiralty, of the customs, or any others; nor shall such prizes be arrested, searched or put under legal process when they come to, or enter the ports of the other party; but may freely be carried out again at any time by their captors to the places expressed in their commissions, which the commanding officers of such vessels shall be obliged to show; but no vessel, which shall have made prizes on the subjects of his Most Christian Majesty the King of France, shall have a right of asylum in the ports or havens of the United States, and if any such be forced therein by tempest or dangers of the sea, they shall be obliged to depart as soon as possible, according to the tenor of the treaties existing between his said Most Christian Majesty and the said United States.

ARTICLE XX. No citizen or subject of either of the contracting parties shall take from any power with which the other may be at war, any commission or letter of marque for arming any vessel to act as a privateer against the other, on pain of being punished as a pirate; nor shall either party hire, lend or give any part of their naval or military force to the enemy of the other, to aid them offensively or defensively against that other.

ARTICLE XXI. If the two contracting parties should be engaged in war against a common enemy, the following points shall be observed between them: 1st. If a vessel of one of the parties, re-taken by a privateer of the other, shall not have been in possession of the enemy

more than twenty-four hours, she shall be restored to the first owner for one-third of the value of the vessel and cargo; but if she shall have been more than twenty-four hours in possession of the enemy, she shall belong wholly to the re-captors. 2nd. If, in the same case, the re-capture were by a public vessel of war of the one party, restitution shall be made to the owner for one thirtieth part of the value of the vessel and cargo, if she shall not have been in possession of the enemy more than twenty-four hours; and one tenth of the said value where she shall have been longer; which sums shall be distributed in gratuities to the re-captors. 3rd. The restitution, in the cases aforesaid, shall be after due proof of property, and surety given for the part to which the re-captors are entitled. 4th. The vessels of war, public and private, of the two parties, shall be reciprocally admitted, with their prizes, into the respective ports of each; but the said prizes shall not be discharged nor sold there, until the legality shall have been decided according to the laws and regulations of the States to which the captor belonged. 5th. It shall be free to each party to make such regulations as they judge necessary for the conduct of their respective vessels of war, public or private, relative to the vessels which they shall take and carry into the ports of the two parties.

ARTICLE XXII. Where the parties shall have a common enemy, or shall both be neutral, the vessels of war of each shall, upon all occasions, take under their protection the vessels of the other going the same course, and shall defend such vessels as long as they hold the same course, against all force and violence, in the same manner as they ought to protect and defend vessels belonging to the party of which they are.

ARTICLE XXIII. If a war should arise between the two contracting parties, the merchants of either country, then residing in the other, shall be allowed to remain nine months to collect their debts and settle their affairs, and may depart freely, carrying off all their effects, without molestation or hindrance; and all women and children, artizans, scholars of every faculty, cultivators of the earth, manufacturers and fishermen, unarmed, and inhabiting unfortified towns, villages or places, whose occupations are for the common subsistence and benefit of mankind, shall be allowed to continue their respective employments, and shall not be molested in their persons, nor shall their houses or goods be burnt or otherwise destroyed, nor their fields wasted by the armed force of the enemy, into whose power, by the events of war, they may happen to fall; but if any thing is necessary to be taken from them for the use of such armed force, the same shall be paid for at a reasonable price; and all merchants and trading vessels employed in exchanging the products of different places, and thereby rendering the necessaries, conveniences, and comforts of human life more easy to be obtained and more general, shall be allowed to pass free and unmolested; and neither of the contracting parties shall grant or issue any commission to any private armed vessels, empowering them to take or destroy such trading vessels or interrupt such commerce.

ARTICLE XXIV. And to prevent the destruction of prisoners of war, by sending them into distant and inclement countries, or by crowding them into close and noxious places, the two contracting parties solemnly pledge themselves to each other, and to the world, that

they will not adopt any such practice; that they neither will send the prisoners whom they may take from the other into the East Indies, nor any other parts of Asia, nor Africa, but they shall be placed in some part of their dominions in Europe or America, in wholesome situations; that they shall not be confined in dangerous prisons, nor prisons, nor be put into irons, nor bound, nor otherwise restrained in the use of their limbs; that the officers shall be enlarged on their paroles within convenient districts and have comfortable quarters, and the common men be disposed in cantonments open and extensive enough for air and exercise, and lodged in barracks as roomy and good as are provided by the party in whose power they are, for their own troops; that the officers shall also be daily furnished by the party in whose power they are, with as many rations, and of the same articles and quality, as are allowed by them either in kind, or by commutation to officers of equal rank in their own army, and all others shall be daily furnished by them with such ration as they allow to a common soldier in their own service; the value whereof shall be paid by the other party on a mutual adjustment of accounts for the subsistence of prisoners at the close of the war; and the said accounts shall not be mingled with, or set off against any others, nor the balances due on them be withheld as a satisfaction or reprisal for any other article, or for any other cause, real or pretended, whatever; that each party shall be allowed to keep a commissary of prisoners of their own appointment, with every separate cantonment of prisoners in possession of the other, which commissary shall see the prisoners as often as he pleases—shall be allowed to receive and distribute what-

ever comforts may be sent to them by their friends, and shall be free to make his reports, in open letters, to those who employ him; but if any officer shall break his parole, or any other prisoner shall escape from the limits of his cantonment after they shall have been designated to him, such individual officer or other prisoner shall forfeit so much of the benefit of this article as provides for his enlargement on parole or cantonment; and it is declared, that neither the pretence that war dissolves all treaties, nor any other whatsoever, shall be considered as annulling or suspending this and the next preceding article, but, on the contrary, that the state of war is precisely that for which they are provided, and during which they are to be as sacredly observed, as the most acknowledged articles in the laws of nature or nations.

ARTICLE XXV. The two contracting parties grant to each other the liberty of having, each in the ports of the other, Consuls, Vice Consuls, Agents and Commissaries of their own appointment, whose functions shall be regulated by particular agreement, whenever either party shall choose to make such appointment; but if any such Consuls shall exercise commerce, they shall be submitted to the same laws and usages to which the private individuals of their nation are submitted in the same place.

ARTICLE XXVI. If either party shall hereafter grant to any other nation any particular favor in navigation or commerce, it shall immediately become common to the other party, freely where it is freely granted to such other nation, or on yielding the compensation where such nation does the same.

ARTICLE XXVII. His Britannic Majesty and the United States of America, agree that this treaty shall be

in force during the term of ——— years from the exchange of ratifications; and if the expiration of that term should happen during the course of a war between them, then the articles before provided for the regulation of their conduct during such war, shall continue in force until the conclusion of the treaty which shall re-establish peace, and that this treaty shall be ratified on both sides, and the ratifications exchanged within one year from the day of its signature.



Office for Foreign Affairs, }
February 2, 1786. }

The Secretary of the United States for the Department of Foreign Affairs, to whom was referred the draft of a Treaty of Amity and Commerce, between his Britannic Majesty and the said States, which was transmitted by Mr. Adams, together with his letters that accompanied it, reports—

That, in his opinion, the United States may safely enter into treaty with Britain, on the terms and agreeable to the tenor of said draft; and therefore that it should be

Resolved, That Congress approve of the said draft, and that in the blank left for the term of the duration of the Treaty be inserted twenty years.

Your Secretary thinks it would be expedient to refer the letters above mentioned to the same Committee to whom other letters from Mr. Adams were yesterday committed.

All which is submitted to the wisdom of Congress.

JOHN JAY.

FROM JOHN JAY TO JOHN ADAMS.

Office for Foreign Affairs, }
August 3, 1785. }

Dear Sir,

I have the honor of transmitting to you, herewith enclosed, a copy of a letter from J. Carter to the honorable D. Howell, Esq. of 19th April, 1785, and also a copy of my report on that letter, which, having been approved by Congress, was referred to me to take order.

These papers respect the detention of Americans captured during the war; and I am persuaded that nothing on your part will be wanting to restore those brave men to the enjoyment of liberty and their country, who have done and suffered so much for both.

With great esteem, &c.

JOHN JAY.

Report of John Jay relative to American prisoners.

Office for Foreign Affairs, }
June 9, 1785. }

The Secretary of the United States for the Department of Foreign Affairs, to whom was referred a letter from John Carter to the honorable David Howell, Esquire, of the 19th April last, respecting Mr. Richard Low and other Americans, who, having been made prisoners by the British during the late war, are not yet released, reports:

That, in his opinion, a copy of the said letter should be transmitted to the Minister Plenipotentiary of the

United States at the Court of London, with instructions to lay the same before the Minister, and to demand that orders be immediately given for the release and discharge of all such American soldiers, seamen and citizens, as having been captured during the late war, and may yet be detained in his Britannic Majesty's prisons, garrisons, armies or ships.

All which is submitted to the wisdom of Congress.

JOHN JAY.



FROM JOHN CARTER TO DAVID HOWELL.

Providence, April 19, 1785.

Dear Sir,

The effects of the late war are still severely felt by individuals, as well as by the States at large, and there is reason to believe that many of our citizens are still detained on board his Britannic Majesty's ships of war. Humanity, as well as policy dictates, that a demand should be made of them, that they may be restored to their country and connexions.

Colonel John Low, of Warwick, has requested me to write you particularly in behalf of his son Mr. Richard Low, who, in the year 1776, was captured in an unarmed merchant sloop, by the Niger frigate, and immediately put to duty on board her. The Niger afterwards convoyed a fleet from New York to England, and from thence sailed for the Jamaica station, where she remained about three years. Mr. Low was then turned on board another ship and sailed a second time for England, where on his arrival, he was drafted with

a number of other Americans and put on board the Defence of seventy-four guns. The Defence soon after sailed for the East Indies, and Colonel Low has lately received a letter from his son, dated at Bombay, in January, 1784. He informs that the ship was to sail for England in October, and would probably arrive in the present Month of April.

He has ever earnestly wished to be permitted to return to his country and friends; and Colonel Low intreats, that, in the next public despatches for Europe, his son's case may be stated to the American Minister or commissioner, that the proper steps may be pursued to obtain his release, after so long and so painful a captivity.

I am, dear Sir, &c.

JOHN CARTER.



FROM JOHN JAY TO JOHN ADAMS.

New York, October 14, 1785.

Dear Sir,

Since the date of my last to you, which was the 6th September last, I have been honored with yours of the 10th and 26th June and 19th and 29th July, with the papers mentioned to be enclosed; they are now before Congress, and I am persuaded that the strong marks they bear of industry and attention, will give them pleasure.

I perfectly concur with you in sentiment respecting what ought to be the conduct and policy of the United States, and I am not without hopes that they will gradually perceive and pursue their true interests. There

certainly is much temper as well as talents in Congress, and although it is not in their power to do all that should be done, yet they are willing and industrious to do whatever depends upon them.

Your letters, I am sure, are useful, they disseminate and enforce those federal ideas which cannot be too forcibly inculcated or too strongly impressed ; our federal government is incompetent to its objects, and as it is the interest of our country, so it is the duty of her leading characters to co-operate in measures for enlarging and invigorating it. The rage for separations and new States is mischievous ; it will, unless checked, scatter our resources, and in every view enfeeble the Union. Your testimony against such licentious, anarchical proceedings would, I am persuaded, have great weight.

Your letters as yet are silent respecting the evacuation of our frontier posts. I do not mean to press you either to do or say any thing *unseasonably* about it, for there are times and tides in human affairs to be watched and observed. I know your attention, and therefore rest satisfied that we shall hear from you on this interesting subject as soon as you ought to write about it. During the ensuing sessions of the legislatures, I shall watch their acts, and endeavor to send you such as may respect the interests of the Union. I find it extremely difficult to collect them. When I first came into this office I wrote a circular letter to the Governors requesting them, among other things, to send me from time to time printed copies of their acts ; but whatever may have been the cause, it has so happened that except in two or three instances, this request has been entirely neglected.

With the newspapers herewith sent, you will find the

requisition of Congress. What its success will be cannot yet be determined.

The Algerines, it seems, have declared war against us; if we act properly, I shall not be very sorry for it. In my opinion, it may lay the foundation for a navy, and tend to draw us more closely into a federal system. On that ground only we want strength, and could our people be brought to see it in that light, and act accordingly, we should have little reason to apprehend danger from any quarter. Monsieur de Marbois has left us and is gone to St. Domingo, where he has an intendency. Mr. Otto succeeds him, and appears well disposed.

As yet, your place at the Hague is vacant. Several gentlemen are in nomination, among whom I hear are Mr. Izard and Mr. Madison.

Doctor Franklin is happy at Philadelphia. Both parties are assiduous in their attentions to him, and it is thought more than probable he will succeed Mr. Dickinson. I fear, in the language of our farmers, that a day so remarkably fine for the season may prove a weather breeder, that is, that he will find it difficult to manage both parties, for, if he gives himself up to one, he must expect hostility from the other. I wish he may be able to reconcile them, and thereby restore that State to the degree of strength and respectability, which, from its population, fertility and commerce, it ought to possess.

I congratulate you on the issue of your discussions with their High Mightinesses; Mr. Dumas gave us an account of it, and we are all pleased to find that it terminated as it did.

With great and sincere esteem, &c.

JOHN JAY.

FROM JOHN ADAMS TO JOHN JAY.

Grosvenor Square, Westminster, August 6, 1785.

Dear Sir,

I find the spirit of the times very different from that which you and I saw, when we were here together, in the months of November and December, 1783.

Then, the commerce of the United States had not fully returned to these kingdoms; then the nation had not digested its system nor determined to adhere so closely to its navigation acts, relatively to the United States; then it was common in conversation to hear a respect and regard for America, professed and even boasted of.

Now, the boast is that our commerce has returned to its old channels and that it can follow in no other, now the utmost contempt of our commerce is freely expressed in pamphlets, gazettes, coffee-houses, and in common street talk. I wish I could not add to this the discourses of Cabinet Counsellors, and Ministers of State, as well as members of both Houses of Parliament.

The national judgment and popular voice, is so decided in favor of the navigation acts, that neither administration nor opposition, dare avow a thought of relaxing them farther than has been already done.

This decided cast has been given to the public opinion and the national councils, by two facts, or rather presumptions. The first is, that in all events this country is sure of the American commerce. Even in case of war, they think that British manufactures will find their way to the United States, through France, Holland, the Austrian low countries, Spain, Portugal, Sweden, the French and Dutch West Indies, and even through Canada and

Nova Scotia. The second is, that the American States are not, and cannot be united. The landed interest will never join with the commercial interest, nor the southern States with the northern in any measures of retaliation, or expressions of resentment. These things have been so often affirmed to this people by the refugees, and they have so often repeated them to one another, that they now fully believe them, and I am firmly persuaded they will try the experiment as long as they can maintain the credit of their stocks. It is our part then to try our strength. You know better than I do whether the States will give Congress the power, and whether Congress, when they have the power, will judge it necessary or expedient to exert it in its plenitude.

You were present in Congress, Sir, in 1774, when many members discussed in detail the commercial relations between the United States, then United Colonies, and Great Britain, Ireland, the British West Indies, and all other parts of the British Empire, and showed to what a vast amount, the wealth, power, and revenue of Great Britain would be affected by a total cessation of exports and imports. The British revenue is now in so critical a situation, that it might be much sooner and more essentially affected, than it could be then. You remember, however, Sir, that although the theory was demonstrated the practice was found very difficult.

Britain has ventured to begin commercial hostilities. I call them hostilities, because their direct object is not so much the increase of their own wealth, ships, or sailors, as the diminution of ours. A jealousy of our naval power, is the true motive, the real passion which actuates them; they consider the United States as their rival, and the

most dangerous rival they have in the world, I see clearly they are less afraid of an augmentation of French ships and sailors than American.

They think they foresee, that if the United States had the same fisheries, the same carrying trade, and the same market for ready built ships, which they had ten years ago, they would be in so respectable a posture and so happy in their circumstances, that their own seamen, manufacturers and merchants too, would hurry over to them.

If Congress should enter in earnest into this commercial war, it must necessarily be a long one before it can fully obtain the victory, and it may excite passions on both sides which may break out into a military war. It is to be hoped, therefore, that the people and their councils will proceed with all the temperance and circumspection which such a state of things requires. I would not advise to this commercial struggle if I could see a prospect of justice without it, but I do not; every appearance is on the contrary.

I have not indeed obtained any direct evidence of the intentions of the Ministry, because I have received no answer to any of my letters to Lord Carmarthen; and it seems to me, to press them, at this juncture, with any great appearance of anxiety, would not be good policy. Let them hear a little more news from Ireland, France, and perhaps, Spain, as well as America, which I think will operate in our favor.

JOHN ADAMS.

FROM JOHN ADAMS TO JOHN JAY.

Grosvenor Square, Westminster, August 8, 1785.

Dear Sir,

It would be of little consequence to us, whether there was a union between Great Britain and Ireland or not, or whether Mr. Pitt's twenty propositions are accepted or not, provided both these countries should be allowed to trade with the United States upon free and equal terms; but the design is too apparent, at least too suspicious, of drawing Ireland into the shackles of the navigation acts, in order that the three Kingdoms may be made to act in concert in maintaining that system of monopoly against us.

Several speakers in Parliament, and many writers, have lately thrown out hints of an union with Ireland, and a certain printer and bookseller is now employed in reprinting Daniel De Foe's book upon the union with Scotland, to which he has engaged Mr. De Lolme to write an introduction. This is all a ministerial operation, and is intended to be pushed, if Mr. Pitt's twenty propositions should either be rejected by the Irish Parliament, or give too much discontent to the volunteers.

The twenty propositions, and the bill which is grounded on them, betray too clearly the intentions of the Ministry.

"Whereas, it is highly and equally important to the interests, both of Great Britain and Ireland, and essential to the objects of the present settlement, that the laws for regulating trade and navigation, so far as relates to securing exclusive privileges to the ships and mariners of Great Britain and Ireland, and British colonies and

plantations, and so far as relates to the regulating and restraining the trade of the British colonies and plantations, should be the same in Great Britain and Ireland, and that all such laws, in both kingdoms, should impose the same restraints, and confer the same benefits on the subjects of both, which can only be effected by the laws to be passed in the Parliament of both kingdoms, (the Parliament of Great Britain being alone competent to bind the people of Great Britain in any case whatever, and the Parliament of Ireland being alone competent to bind the people of Ireland in any case whatever) therefore, be it declared, that it shall be held and adjudged to be a fundamental and essential condition of the present settlement, that the laws for regulating trade and navigation, so far as the said laws relate to the securing exclusive privileges to the *ships* and *mariners* of Great Britain, Ireland, and the British colonies and plantations, shall be the same in Great Britain and Ireland, and shall impose the same restraints, and confer the same benefits on the subjects of both kingdoms."

"That all privileges, advantages, and immunities, which are now granted, or shall, by any law to be passed by the Parliament of Great Britain, be hereafter granted to ships built in Great Britain, or to ships belonging to any of his Majesty's subjects residing in Great Britain, or to ships manned by British seamen, or to ships manned by certain proportions of British seamen, shall, to all intents and purposes whatever, be enjoyed in the same manner, and under the same regulations and restrictions respectively, by ships built in Ireland, or by ships belonging to any of his Majesty's subjects residing in Ireland, or by ships manned by Irish seamen, or by ships manned by certain proportions of Irish seamen."—"That

it shall be held and adjudged to be a fundamental and essential condition of the present settlement, that such regulations as are now, or hereafter shall be in force, by law passed or to be passed in the Parliament of Great Britain, for securing exclusive privileges, advantages and immunities as aforesaid, to the ships and mariners of Great Britain, Ireland and the British colonies and plantations, shall be established in Ireland, for the same time, and in the same manner, as in Great Britain, by laws to be passed in the Parliament of Ireland, within — months, &c. provided, that the laws so to be passed in the Parliament of Great Britain for the purposes aforesaid, shall impose the same restraints, and confer the same benefits on the subjects of Great Britain and Ireland."

"That it shall be held and adjudged to be a fundamental and essential condition of the present settlement, that Irish sail cloth shall be deemed British sail cloth within the meaning of 19, G. 2, or any other act or acts of Parliament respecting the furnishing of ships with British sail cloth, and that Irish sail cloth shall be entitled to equal preference and advantage as British for the use of the British navy."

"That it shall be held and adjudged to be a fundamental and essential condition of the present settlement, that all goods of the growth, produce, or manufacture of any British, or of any foreign colony in America, or in the West Indies, or of any of the British or foreign settlements on the coast of Africa, and *all peltry, rum, train oil and whale fine*, being the growth, produce, or manufacture of the countries belonging to the United States of America, or being the produce of the fisheries, carried on by the subjects of the United States of

America, shall, on importation into Ireland, be made subject to the same duties and regulations as the like goods are, or from time to time, shall be subject to, on importation into Great Britain; or, if prohibited from being imported into Great Britain, shall in like manner, be prohibited from being imported into Ireland."

The extracts from the bill for finally regulating the intercourse and commerce between Great Britain and Ireland, moved in the House of Commons by the Chancellor of the Exchequer, are sufficient evidence of a design to draw Ireland into a combination against America.

This jealousy of our ships and mariners, Sir, is not peculiar to the English; the French are equally possessed of it, and both are infected with it to such a degree, that I am confident that each of these nations had rather contribute to the increase of the other's ships and mariners than those of the United States. It would not surprise me at all, if these two Courts which can agree in nothing else, should combine together to exclude us from every branch of the carrying trade, and every advantage of the whale fishery.

What shall we do to defend ourselves? Shall we confine the exportation of the produce of the United States, to the ships and mariners of the United States? To increase the English navy, the statute of the 5, Ric. 2, C. 3, enacted that "none of the King's liege people should ship any merchandize out of, or into the realm; but only in the ships of the King's liegeance, on pain of forfeiture." If the United States were able and willing to imitate this statute, and confine all our exports and imports to ships built in the United States, and navigated

with American seamen, or three-quarters American seamen, or one-half, or even one-third American seamen, what would be the consequence? We should not have at first enough either of ships or seamen to export the produce, and import what would be wanted from abroad; but we should see multitudes of people instantly employed in building ships, and multitudes of others immediately becoming sailors, and the time would not be long before we should have enough of both. The people of the United States have shown themselves capable of great exertions, and possessed of patience, courage and perseverance, and willing to make large sacrifices to the general interest.

But are they capable of this exertion? Are they possessed of patience, courage and perseverance enough to encounter the losses and embarrassments which would, at first, be occasioned by an exclusion of foreign ships? I wish I could know the number of foreign ships which have entered the ports of the United States since the peace; including English, French, Dutch, Italian and Swedish vessels, the number must be very great. If all these ships and seamen were American, what materials would they furnish for a navy in case of need? How would this be received by foreign nations? Spain and Portugal would say nothing, because they have no ships in our trade; France has few; Italy would have no right to object; nor Germany, Russia, Sweden or Denmark. It would be laying an axe at the root of the British commerce, revenue, and naval power, however slightly they may think of us. Whether a heavy duty upon all foreign vessels, such as should operate as a decisive encouragement to American ships, would not answer the end as well, I am not able to judge.

The provisions of the act of navigation, 12 Car. 2, C. 18, would not be sufficient for our purpose. If the United States should agree in a law that no goods should be suffered to be imported into the United States, in any other than an American bottoms, (navigated by an American master, and three-fourths of the seamen American) or in the ships of that European nation, of which the merchandize imported was the genuine growth or manufacture, this would not accomplish our wish, because British and Irish ships would desire no other than to import into our States the manufacture of the British empire, and to export our produce in the same bottoms. Some of the British statutes prohibit foreigners to carry on the coasting trade, that is, to go from one port to another in Great Britain; and this regulation will now be extended to Ireland, if the twenty propositions are accepted. A similar regulation might be adopted by the United States; and this would be a vast encouragement to our navigation, for the intercourse between one State and another, and between one port and another of the same State, will now be so frequent and considerable as to employ many ships and mariners; and in these the greatest strength of a country consists, because they are always at home ready to fight for the defence of their firesides.

If we should get over our aversion to monopolies and exclusions, and adopt the selfish, unsocial principles of the European nations, particularly of France and England, we should astonish the world with a navy in a very few years, not more than eight or ten, equal perhaps to the third maritime power in Europe. This would be amply sufficient for our defence. European statesmen know it better than we do, and dread it more than we

desire it, because they think that from that period all the West India Islands, Canada and Nova Scotia, the Floridas and Mexico, too, would be made to join us. Why then will England pursue measures, which will force us to try experiments against our inclinations? There is no answer to be given to this question but the same, which has been given to another: Why did she force us into independence? The nation is infatuated, and every successive Minister must be infatuated too, or lose his popularity and his place. Nor is France much less infatuated in her system of politics relative to America. The jealousy of our navigation is so strong and so common to both, that I should not be at all surprized, if France should agree that England should carry her point in Ireland, draw her into the navigation monopoly, and agree together to keep peace with one another, and force us, if they can, out of every nursery for seamen. I know that French noblemen are in England, and English gentlemen in France, preaching up to each other, a terror of our naval power, and even the late *arrêt* against British manufactures may be but a blind to cover very different designs; both Courts are capable of such dissimulation, and they are now acting in concert in Germany, so much to the disgust of the two Imperial Courts, that I confess I do not admire this appearance of friendship any more than I can account for it.

It will require all the wisdom and all the firmness of Congress and the States, to plan and execute the measures necessary to counteract all these wiles.

With great and sincere esteem, &c.

JOHN ADAMS.

FROM JOHN ADAMS TO JOHN JAY.

Grosvenor Square, Westminster, August 10, 1785.

Dear Sir,

The *arrêt* of the King of France, in his council of the 10th of July, has a preamble which deserves to be well considered in America. The increasing liberality of sentiment among philosophers and men of letters, in various nations, has for some time given reason to hope for a *reformation* or kind of *Protestanism* in the commercial system of the world; but I believe that this *arrêt* is the first act of any sovereign, which has openly avowed commercial principles so generous and noble. "Nothing could appear to the King more desirable and suitable to his own principles than a general liberty which, freeing from all kind of fetters, the circulation of all productions and goods of different countries, would make of all nations, as it were, but one, in point of trade; but as long as that liberty cannot be universally admitted, and every where reciprocally, the interest of the kingdom requires of his majesty's wisdom, that he should exclude from it, or suffer to be imported by the nation only, those foreign goods, the free importation of which would be hurtful to his kingdom and manufactories, and might make the balance of trade to be against him."

The United States of America have done more than all the economists in France, towards propagating in the world that magnanimous sentiment. But they have more cause than the Court of France to complain, that liberty is not universally and reciprocally admitted. They have cause to complain against France herself in some degree, but more against Great Britain; for France, in some

degree, calculates all her policy towards us, upon a principle which England pursues more steadily—a principle not so properly of enriching and strengthening herself at our expense, as of impoverishing and weakening us even at her own expense. Simple selfishness, which is only the absence of benevolence, is much less unamiable than positive malevolence. As the French Court has condescended to adopt our principle in theory, I am very much afraid we shall be obliged to imitate their wisdom in practice, and exclude from the United States, or suffer to be imported by our nation only, and in their own ships, those foreign goods which would be hurtful to the United States and their manufactories; make the balance of trade to be against them, or annihilate or diminish their shipping or mariners.

We have hitherto been the bubbles of our own philosophical and equitable liberality; and, instead of meeting correspondent sentiments, both France and England have shewn a constant disposition to take a selfish and partial advantage of us because of them, nay, to turn them to the diminution or destruction of our own means of trade and strength. I hope we shall be the dupes no longer than we must. I would venture upon monopolies and exclusions, if they were found to be the only arms of defence against monopolies and exclusions, without fear of offending Dean Tucker or the ghost of doctor Quenay.

I observe further, with pleasure in the preamble, that the King, "is particularly occupied with the means of encouraging the industry of his subjects, and of propagating the extent of their trade, and reviving their manufactories." Great things may be done in this way for

the benefit of America as well as of France, if the measures are calculated upon the honest old principle of "live and let live." But if another maxim is adopted, "I will live upon your means of living," or another still worse, "I will half starve, that you may quite starve," instead of rejoicing at it, we must look out for means of preserving ourselves. These means can never be secured entirely, until Congress shall be made supreme in foreign commerce, and shall have digested a plan for all the States. But if any of the States continue to refuse their assent, I hope that individual States will take it separately upon themselves, and confine their exports and imports wholly to ships and mariners of the United States, or even to their own ships and mariners of the United States, or, which is best of all, to the ships and mariners of those States which will adopt the same regulations; I should be extremely sorry, however, that there ever should be a necessity of making any distinction between the ships and mariners of different States. It would be infinitely better to have all American ships and seamen entitled to equal privileges in all the thirteen States; but their privileges should be made much greater than those of foreign ships and seamen.

With great respect, &c.

JOHN ADAMS.



FROM JOHN JAY TO JOHN ADAMS.

New York, November 1, 1785.

Dear Sir,

My last to you was of the 14th ult; by the ship Betsy, Captain Thomas Watson; since that time I have had the

pleasure of receiving and laying before Congress your despatches of the 6th, 8th, and 10th August, last.

We concur so perfectly in sentiment respecting public affairs and what ought to be done, that I find no occasion to enlarge on those heads.

In a late report, I have called the attention of Congress to this serious question, viz: whether the United States should withdraw their attention from the ocean, and leave foreigners to fetch and carry for them, or whether it is more their interest to look forward to naval strength and maritime importance, and to take and persevere in the measure proper to attain it.

The diversity of opinions on this point renders it necessary that it should be well considered and finally decided. The eastern and middle States are generally for the latter system, and though the others do not openly avow their preferring the former, yet they are evidently inclined to it. Hence it is, that the most leading men in Congress from that quarter, do not only not promote measures for vesting Congress with power to regulate trade, but, as the common phrase is, throw cold water on all such ideas.

Having few or no ships of their own, they are averse to such duties on foreign ones as will greatly advance the price of freight, nor do they seem much disposed to sacrifice present profits, for the sake of their neighbors who have ships and wish to have more.

We hear much of the Algerines having declared war against the United States; none of our advices are official, but as the intelligence comes directly from Nantes, Bordeaux and L'Orient, there seems to be much reason to fear that it is true.

The public papers herewith sent, will inform you of our common occurrences ; and I wish it was in my power to tell you what Congress mean to do respecting many matters on which they are to decide.

The representation is at present slender, and will, I suspect, continue so till the new members come on.

I have the honor to be, &c.

JOHN JAY.



FROM JOHN JAY TO JOHN ADAMS.

New York, November 1, 1785.

Dear Sir,

I have the honor of transmitting to you, herewith enclosed, an act of Congress of the 13th ult. respecting British claims and encroachments on our eastern boundaries, and instructing and authorizing you to take proper measures for amicably settling the disputes thence arising. You will also find, herewith enclosed, the several papers and documents referred to in the act, and of which a list is hereto subjoined.

It also appears to me expedient to send you copies of two reports which I have made to Congress respecting these matters, not for your direction; but that you may thereby be fully informed of my sentiments on this interesting subject.

With great and sincere regard, &c.

JOHN JAY.

List of papers herewith enclosed.

- No. 1. Resolution of Congress, 13th October, 1785.
- No. 2. Copy of a report of the Secretary for Foreign Affairs, 21st April, 1785.
- No. 3. Copy of a resolve of the legislature of Massachusetts, 6th and 7th July, 1784.
- No. 4. Copy of the report of Generals Lincoln and Knox, 19th October, 1784.
- No. 5. Copy of the deposition of John Mitchell, 9th October, 1784.
- No. 6. Extract of a letter from John Adams, Esquire, to Lieutenant Governor Cushing, 25th October, 1784.
- No. 7. Copy of a letter from Governor Hancock to Governor Parr, of 12th November, and Governor Parr's answer, of 7th December, 1784.
- No. 8. Copy of a letter from Rufus Putnam, Esquire, to the committee of Massachusetts, 24th December, 1784.
- No. 9. Copy of the deposition of Nathan Jones, of 17th March, 1785.
- No. 10. Copy of a letter from Governor Carleton to Governor Hancock.
- No. 11. Copy of a report of the Secretary for Foreign Affairs, 22d September, 1785.
- No. 12. Copy of a letter from James Avery, Esquire, to the Governor of Massachusetts, 23d August, 1785.
- No. 13. Copy of an act of the Council of Massachusetts, 9th September, 1785.

No. 14. Copy of a letter from the Governor of Massachusetts to the Governor of New Brunswick, 9th September, 1785.



FROM THOMAS CARLETON TO JOHN HANCOCK.

St. Johns, New Brunswick, }
June 21, 1785. }

Sir,

In consequence of a letter from your Excellency to the Governor of Nova Scotia, which has been transmitted to his Majesty's Ministers, respecting the boundary between this province and the State of Massachusetts Bay. I have it in charge to inform your Excellency that the great St. Croix, called the Schoodiac by the Indians, was not only considered by the Court of Great Britain as the river intended and agreed upon by the treaty to form a part of that boundary; but a numerous body of the loyal refugees immediately after the peace, built the town of St. Andrews on the eastern bank thereof, and in fact, it is the only river on that side of the province of either such magnitude or extent, as could have led to the idea of proposing it as a limit, between two large and spacious countries.

In making this communication concerning a point of great public importance, I cannot entertain a doubt, Sir, of your Excellency's concurrence with me in contributing to the complete observance of the treaty subsisting between Great Britain and the United States of America, as far as may, in any instance, immediately respect the State of Massachusetts; and the province of New Bruns-

wick, and I hope and am persuaded, that if any further question on this subject should arise between us, it will be considered on both sides with a temper and attention essential, for the preservation of national peace and harmony. I have the honor to be, &c.

THOMAS CARLETON.

To his Excellency, Governor Hancock.

*Extract from the Secret Journal of Foreign Affairs,
October 13, 1785.*

On motion of the delegates from Massachusetts,

Resolved, That copies of the papers and documents received from the Governor of the State of Massachusetts, respecting the encroachment made by certain subjects of his Britannic Majesty, upon the territories of that State, and within the boundaries of the United States, be transmitted to the Minister Plenipotentiary of the United States at the Court of London, to the end that effectual measures should be immediately taken to settle all disputes, with the crown of Great Britain relative to that line.

Resolved, That the said Minister Plenipotentiary be, and hereby is instructed, to present a proper representation of this case; and, if an adjustment, consistent with the true meaning of the definitive articles of peace and friendship between the United States and his Britannic Majesty, cannot, by such representation, be obtained in the ordinary mode of negotiations, that he propose a settlement and final decision of the said dispute, by commissaries mutually appointed for that purpose, for the

appointment of whom, and for all purposes incident to the final determination of the said dispute by commissaries, conformably to the law of nations, the said Minister Plenipotentiary is hereby vested with full powers on behalf of the United States of America.



Report of John Jay, respecting the Eastern Boundary of the United States.

Office of Foreign Affairs, }
April 21, 1785. }

The Secretary of the United States, for the Department of Foreign Affairs, to whom was referred the papers herewith enclosed, respecting the eastern boundary line of the said States, reports :

That, in his opinion, effectual measures should be immediately taken to settle all disputes with the crown of Great Britain relative to that line.

He thinks that copies of the said papers should be transmitted to the Minister Plenipotentiary of the United States at that Court, with instructions to present a proper representation of the case, and to propose that commissioners be appointed to hear and finally decide those disputes.

If this measure should appear expedient to Congress, your Secretary would suggest the following hints on the subject, viz :

That the number of commissioners should be six, or eight, or ten, or twelve, at the election of his Britannic Majesty.

That two commissioners of the like tenor, to be agreed upon between our and their Ministers be issued

to the whole number, viz : one by the United States, and the other by his Britannic Majesty.

That each party shall name the one half of the whole number.

That they shall all be foreigners, or all be persons of the two nations, at the election of his Britannic Majesty, it is not important.

If he should prefer having them of the two nations, then, that he shall name the one half of them being inhabitants of any of his dominions, except those which are situated in, and to the west and south of the gulf of St. Lawrence, and that the United States shall name the other half, from any of their countries except Massachusetts.

That the commissioners, if of the two countries, shall sit in North America, but if foreigners, in Europe, at any place which may be agreed upon by our and their Ministers. That previous to their proceeding to business, they shall, respectively, take an oath, fairly, impartially and justly, without fear, favor or affection, to hear and decide the said matters in difference, according to the best of their skill and understanding agreeably to the directions, true intent, and meaning of the said commissions.

That in case of the death, or refusal to act, of any of the said commissioners, previous to their opening and proceeding to execute the said commission, (but not afterwards) the place of such so dying or refusing, shall be supplied by the party who named him, and that a certificate thereof, under the seal of Great Britain, or of the United States, as the case may be, directed to the said commissioners, by the style of the commissioners

for settling the boundary line between his Britannic Majesty and the United States, on the easterly side of the latter, shall be full evidence of such appointment.

That a majority of the whole number shall be a quorum for every purpose committed to them expressly, or necessarily implied in their commissions; such as choosing their Chairman; appointing Secretaries and surveyors, adjourning from day to-day, or for a longer term, which should not exceed ten days; deciding on matters of evidence, and finally determining the matters in difference, &c.

That they keep regular minutes of their proceeding; that all evidence, whether oral or written, be entered at large in them; that copies of all maps and surveys admitted as evidence be made and kept with their papers; that their chairman for the time being shall have power to administer oaths; that contempts offered to the board while convened and setting on the business of the commission, shall be punished as contempts committed in a court of justice; and, that a certificate by the chairman of such contempt delivered to any civil magistrate, shall make it the duty of such magistrate to apprehend and commit the offender to prison, there to remain until thence delivered in due course of law.

That both parties shall have free access to the public offices and records of the other, and be supplied with copies or exemplifications of any parts thereof, on paying the accustomed fees.

That both the parties shall produce to the board, whatever they may have to offer within three months after the opening of the said commission, by a quorum of the commissioners, at the place to be appointed, who shall sit

and be ready to do business during the whole of that term, unless the parties shall, by writing under the hands of their agent or agents, sooner declare that they have nothing further to offer.

That, on receiving such declarations from both the parties, if within the said three months, or from, and immediately after the expiration of that term, whichever of those events shall first happen, the commissioners shall, within two days thereafter, deliver their judgment in writing, under their hands and seals, or to the hands and seals of a majority of them, to the agents of both parties, viz: one copy for each party, and that the said judgment shall be absolute, final and conclusive between the said parties.

That, on having given judgment as aforesaid, or as soon as may be, within two months thereafter, they shall annex transcripts of all their minutes, proceeding and maps, or surveys above mentioned, to each of the said commissions, and under their hands and seals, or the hands and seals of a majority of them, shall return the same; the one issued by his Britannic Majesty, to his Britannic Majesty, and the one by the United States, to the United States in Congress assembled; and that the delivery of the same to their respective agents, shall be deemed and adjudged to be a good and sufficient return. That the allowance to be made the said commissioners for service and expenses, be fixed by our and their Ministers, and each party pay the one-half thereof.

That it be expressly stipulated that his Britannic Majesty, shall, within six months after the day on which the judgment shall be delivered to the agents as aforesaid, cause the United States to be put in full possession

of all the territories, lands and islands, which, by the said judgment, may be adjudged to the said States, and then being in the possession of his Majesty; and on the other hand, that the United States shall, within six months after the day on which the judgment shall be delivered as aforesaid, cause his Britannic Majesty to be put in full possession of all the territories, lands and islands which, by the said judgment, may be adjudged to him and them, being in the possession of the United States.

All which is humbly submitted to the wisdom of Congress.

JOHN JAY.

PAPERS REFERRED TO IN THE AFOREGOING REPORT,
(21ST APRIL, 1784.)

Resolves of the Legislature of the State of Massachusetts.

Commonwealth of Massachusetts, }
In the House of Representatives, July 6, 1784. }

WHEREAS, the United States in Congress assembled, on the 29th day of January last past, recommended to the Governor of this Commonwealth, to cause inquiry to be made, whether encroachments had actually been made on the territories of this State by the subjects of his Britannic Majesty, from the government of Nova Scotia; and it appearing that great encroachments have been made on the said territories,

Resolved, That three gentlemen be appointed by the General Court, whose duty and business it shall be to repair to the Eastern part of this State and there inform

themselves what encroachments have been made by his said Britannic Majesty's subjects on the territories of the Commonwealth; and, if they find such have been made, that they make representation thereof to the Governor of Nova Scotia, and request him, in a friendly manner, and as a proof of that disposition for peace and harmony which should subsist between neighboring States, to recall from off the said territory the said troops of his Britannic Majesty, so found to have encroached thereon; that they receive any communications which may be made, by the said Governor of Nova Scotia, and make report of their proceedings herein, to the General Court.

Resolved, That his Excellency, the Governor, make a commission, under the seal of the Commonwealth, to the agents to be appointed as aforesaid, to transact the said business, and transmit to the said Governor of Nova Scotia a copy of these resolves.

Resolved, That Benjamin Lincoln, Henry Knox, and George Partridge, Esqs., be and are hereby appointed agents for the business mentioned in the foregoing resolves.

Sent up for concurrence.

SAMUEL A. OTIS, *Speaker*.

In Senate, July 7, 1784.

Read and concurred in.

SAMUEL ADAMS, *President*.

Approved: JOHN HANCOCK.

True copy. }
Attest: } JOHN AVERY, Jr. *Secretary*.

FROM JOHN HANCOCK TO JOHN PARR.

Referred to in the Report of 21st April, 1785.

Boston, November 12, 1784.

Sir,

I have the honor to enclose to your Excellency, a resolution and proclamation of Congress, respecting the boundary line at the eastern part of this Commonwealth, and am to inform you, that, agreeably to the said resolution, an inquiry has been made by a respectable committee appointed by this government for that purpose, who have reported, that upon a most careful examination of the evidence respecting the ancient boundary between Nova Scotia and this State, they found the most easterly of the three rivers, which empty themselves into the bay of Passamaquoddy, to be the ancient line, and now the boundary established by the said treaty so happily concluded between the crown of Great Britain and these States. The Committee also report, that the subjects of his Britannic Majesty have made encroachments upon the territory of this commonwealth, a large number of whom are now possessing themselves of lands, on the western side of the said river.

The government of this State, Sir, is no less desirous than the United States, in Congress assembled, of cultivating that peace and harmony which I hope will ever subsist between the citizens of the States and the subjects of his Majesty; wherefore, in pursuance of the resolution of Congress, I am to request your Excellency will be pleased to recall from off the said territory, those subjects of his Majesty who have removed themselves from his dominions, and planted themselves within this

commonwealth. I shall be always ready to give immediate attention to such communications, as your Excellency shall be pleased to make upon this or any other subject.

I have the honor to be, &c.

JOHN HANCOCK.

I had the honor of a verbal message from your Excellency by Mr. Gregory Townsend, respecting the probate papers in the hands of Mr. Hutchinson, at Halifax, that they were packing up, and would be sent by the first opportunity. I have since received no tidings of them. I take the liberty to request your Excellency's kind interposition that they may be forwarded before the bad season comes on ; more especially as they are papers of great consequence, and are much wanted.



FROM JOHN PARR TO JOHN HANCOCK.

Halifax, December 7, 1784.

Sir,

I had the honor of your letter dated the 12th November, enclosing a copy of a resolution of Congress, 29th January last, with a proclamation dated 14th of the same month ; all which I have forwarded to the Governor of New Brunswick, within whose government are the lands in dispute ; and I have transmitted copies of them to Lord Sydney, one of his Majesty's principal Secretaries of State.

I have the honor to be, &c.

J. PARR.

Extract of a letter from his Excellency John Adams to Lieut. Governor Cushing, dated, Auteuil, near Paris, Oct. 25, 1784.

In writing upon the subject of the line between Massachusetts and Nova Scotia, he observed as follows :

“ We had before us, through the whole negotiation, a variety of maps, but it was Mitchel’s map, upon which was marked out the whole of the boundary lines of the United States and the river St. Croix, which we fixed on, was upon that map, the nearest river to St. John’s; so that in all equity, good conscience, and honor, the river next to St. John’s should be the boundary.

“ I am glad the General Court are taking early measures, and hope they will pursue them steadily, until the point is settled, which it may be now, amicably ; if neglected long, it may be more difficult.”

Attest : JOHN AVERY, Jr. *Secretary.*



Deposition of Nathan Jones.

I, Nathan Jones, of Goldsborough, in the county of Lincoln and Commonwealth of Massachusetts, Esquire, testify and say, that in the year seventeen hundred and sixty-four, I was employed by Sir Francis Bernard, then Governor of the province of Massachusetts Bay, as commander of a party employed to explore the woods and view the rivers and bays, particularly that of Passamaquoddy in the eastern parts of the said province, and to ascertain the river St. Croix dividing the said province from the government of Nova Scotia, and to perform a

survey thereof. Accordingly, we proceeded and assembled upwards of forty of the Indians on an island called Letête, and after having fully and freely conversed with them upon the subject of our mission, the chief commissioned three Indians to show us the said river St. Croix, which is situated nearly six miles north, and about three degrees east of the harbor Letête and east north east of the bay or river Scudac, and distant from it about nine miles upon a right line.

The aforesaid three Indians, after having shown us the said river, and, being duly informed of the nature and importance of an oath, did make solemn oath to the truth of their information respecting the identity of the said river St. Croix, and that it was the river known amongst them by that name, which river is the eastern river in the bay of Passamaquoddy, and now known by the name of the Maggacadava; we proceeded according to this information in our surveys, and, agreeably thereto, in August following made return of our doings to the said Governor Bernard.

NATHAN JONES.

Suffolk, ss : }
Boston, March 17, 1785. }

The above named Nathan Jones personally appeared and on oath declared that the above, by him subscribed, is true.

Before me,

EZEKIEL PRICE,
Justice of the Peace.

True Copy. }
 Attest: } JOHN AVERY, Jr. *Secretary.*

Deposition of John Mitchel.

I, the subscriber, an inhabitant of Chester, in the State of New Hampshire, voluntarily make the following declaration, to wit:

That I was employed by his Excellency Francis Bernard, Esquire, Governor of the province of Massachusetts Bay, in April, 1764, as a surveyor, in company with Mr. Israel Jones, as my deputy, Mr. Nathan Jones, as commanding officer of a party of troops, and captain Fletcher, as Indian interpreter, to repair to the bay of Passamaquoddy, to assemble the Indians usually residing there, and from them to ascertain the river known by the name of the St. Croix.

We accordingly assembled upwards of forty of the principal Indians upon an Island, then called L'Atereel, in the said bay of Passamaquoddy.

After having fully and freely conversed with them, upon the subject of our mission, the chief commissioned three Indians to shew us the said river St. Croix, which is situated nearly six miles north, and about three degrees east of harbour La Tete, and east-north-east of the bay or river Scudac, and distant from it about nine miles upon a right line. The aforesaid three Indians, after having shewn us the river and being duly informed of the nature and importance of an oath, did, in a solemn manner, depose to the truth of their information respecting the identity of the said river St. Croix, and that it was the ancient and only river known amongst them by that name. We proceeded, conformably to this information, in our surveys, and, in August follow-

ing, I delivered to Governor Bernard three plans of the said river St. Croix, and the said Bay of Passamaquoddy.

JOHN MITCHEL, *Surveyor*.

Suffolk, ss :
Boston, October 9, 1784. }

The above named John Mitchel personally appeared, and on solemn oath declared, that the above by him subscribed is true. Before me,

EZEKIEL PRICE,

Justice of the Peace.

True copy, }
 Attest. } JOHN AVERY, Jr. *Secretary*.



FROM RUFUS PUTNAM TO THE COMMITTEE OF MASSACHUSETTS.

Rutland, December 27, 1784.

Gentlemen,

As the plan I furnished you on my return from the eastern country, was much more extensive; than what was barely necessary for the delineation of the lands which I surveyed for government, comprehending so much of the Passamaquoddy country as I thought sufficient to give a pretty clear idea of the grounds in dispute between this Commonwealth and Nova Scotia, respecting our eastern boundary; if it is not my duty as a servant of the public, I ask their indulgence as a citizen, to mention several matters by way of information and explanation of my plan, and also to make a few

observations on the respective claims of the two nations in that quarter.

From Mr. Jones, who is the principal surveyor employed by the British in that quarter, since the peace took place, I learned that they consider the Schoodic as the St. Croix intended in the treaty; that they fix the mouth of that river at the Devil's Head, which you will see marked in township, No. V. in my plan; and the bays of Schoodic, St. Andrews, Cobbes Cook, &c. &c. formerly comprehended under the general name of Passamaquoddy, they consider as arms of the sea or parts of the bay of Fundy. Here then, say they, (that is at the Devil's Head) the following description in the treaty begins, viz: bounded east by a line to be drawn along the middle of the river St. Croix from its mouth in the bay of Fundy to its source again, a line drawn from the mouth of St. Croix at Devil's Head to the mouth of St. Mary's river between Georgia and East Florida, they consider as a boundary to the eastward of which we have no claim on the main land, among the islands, nor yet to the islands westward of such a line, except they lie within twenty leagues of the sea coast or main land, and have not been granted by the government of Nova Scotia.

Again, in consequence of their claiming the Schoodic river for the St. Croix, all the lands to the eastward of it as high as the first falls above mill island, marked in my plan, are surveyed and granted to the refugees and others, after a judgment of escheat being passed on them, for they were formerly granted to others, as may be seen in the copy of the Halifax plan.

A straight line, says Mr. Jones, drawn from the Devil's

Head to the mouth of St. Mary's river, as above mentioned, will fall on the sea coast or north shore of the Bay of Fundy, about the mouth of little Machias river; the direction of this line across my plan is marked on the southern edge of it; and in consequence of their claiming such a line, not only all the islands in the bay of Passamaquoddy, whether granted before the peace or since, they claim as theirs, but the island of Grand Mannana has been granted by the Governor of Nova Scotia to certain proprietors, and on the same principle, a few days before I left the country, Mr. Jones began the survey of Soward's Neck.

Their settlements keep pretty equal pace with their surveys; the island of Grand Mannana has several settlers on it already, as well as a number of smaller islands in the eastern part of Passamaquoddy bay; the town of St. Andrews has between two and three hundred houses, and a town at present called Schudic, near the head of navigation, has near one hundred houses; besides which there is a township at the head of Oak Bay granted to a company of associates, at the head of which is a Mr. Norwood from Cape Ann; another township west of this is surveyed for a company from Connecticut, and these companies obtain the same supplies of provisions as the refugees do.

The reason why they have made no surveys on the main land between the Devil's Head and Pleasant Point, or on Moose Island, I presume, is because they consider those lands as the property of Sir Francis Bernard and his associates, and that no judgment of escheat respecting them has yet taken place.

Upon the supposition that the Maggadadava river or

eastern St. Croix, from the falls, makes a north course up to its source, and the river Scoodic does the same, from the upper pond marked in my plan, then the tract of land between the two rivers in dispute, will be in extent, east and west, nearly thirty-six miles, and by a London map, published immediately after the peace, at least one hundred and twenty miles north and south; so that the two rivers, in all probability, make a difference of one hundred and twenty townships, of six miles square, within which there is, no doubt, a great quantity of good lands.

Again, to draw a line, as they purpose, from the Devil's Head, will cut off a quantity of land equal to four or five townships of six miles square, besides the island of Great Mannana and the small islands on the southern side of it, which are equal to three or four such townships, together with Moose Island and some others whose quantities are marked in my plan or report; but besides the value of the lands cut off by this proposed line, it is well to consider that the remainder of the lands bordering on the Scoodic and Cobbes Cook rivers, will be of little value to their owners, if they have no communication with the sea, but what depends on the courtesy of their British neighbors.

The bay of Passamaquoddy, at present, affords great plenty of fish, but, if we are to possess no islands in that bay for curing them, it must prove very injurious to the subjects of America, who are, or may be employed in taking fish in that quarter. The island of Grand Mannana has a good harbor towards the south-east part of it, and its southern shore is lined with a number of small islands, among which, and in the vicinity of

them, great plenty of fish are taken, and the quality of the lands in Great Mannana and some of those smaller islands, it is said, is not inferior to those in the bay of Passamaquoddy ; so that, in respect of both farming and fishing, these islands are of no small consequence.

But where the gentlemen of Nova Scotia have got the idea that the United States are bounded by a line drawn through the Atlantic ocean, from the mouth of St. Mary's river to the mouth of the St. Croix, is hard to conceive ; for my own part, I cannot find a single hint of such a boundary in all the treaty ; yet, as absurd as this idea appears to be, not only Mr. Jones and other refugees are fallen into the mistake, but Governor Parr must have done so too, or otherwise he would not have patented the island of Grand Mannana, for, as Mr. Jones told me it never had been granted before, it cannot now possibly belong to Nova Scotia, on any other principle, but the establishment of such a line. With respect to the islands, the words of the treaty are these : "comprehending all Islands within twenty leagues of any part of the shores of the United States, and lying between lines to be drawn due east from the *points* where the aforesaid boundary, between Nova Scotia on the one part and East Florida on the other, shall respectively touch the bay of Fundy, and the Atlantic ocean, excepting such islands," &c. Now, whenever we can find that point, viz: the middle of the mouth of the St. Croix river in the bay of Fundy we are to draw a line due east from that spot, and all islands lying to the south of such line (and to the northern mouth) of a line drawn due east from the middle of the mouth of St. Mary's river, and within twenty leagues of the shore or

main land of the United States, are by the treaty ceded to *them*, "except such islands as now are, or heretofore have been within the limits of said province of Nova Scotia."

Now, although at present it may be uncertain where to fix this point, viz: the middle of the mouth of the St. Croix, in the bay of Fundy, yet, if we attend to the bearing of Grand Manana, from west passage, as marked in the plan, it is certain that if you fix it any where about the bay of Passamaquoddy, a line drawn due east from thence will leave the whole Island of Grand Manana to the South, and this island, lying within much less than 20 leagues of the shore or main land, of course belongs to the United States; therefore, Governor Parr could never grant this island on any other principle, but the one I have mentioned. The survey then made on Soward's Neck, may be of a much more serious nature than was at first apprehended. If the Schoodic, be the St. Croix intended in the treaty, I agree with the Nova Scotia gentlemen, that the *real* mouth of that river is at the Devil's Head; but I by no means admit this to be the mouth intended by the commissioners who formed the treaty; for, to draw a line due east from thence, not only crosses over a tract of mainland before it touches the bay of Fundy *proper*, and would give every island in the Passamaquoddy to the United States, but also all the islands along the shore to the eastward of Passamaquoddy for several leagues, which I can by no means suppose to be intended; and if we fix this point in the real mouth of the Maggacadava, or Eastern St. Croix, we shall be involved in the same difficulties as before. So that which ever be the St. Croix intended, the point mentioned in the treaty must be in some other place, than

either of those I have mentioned, and the most probable opinion I have been able to form of the matter is, that the commissioners considered the whole bay of Passamaquoddy as the mouth of the river St. Croix, and that their real intention was, that a line beginning in the middle of this mouth, at a point where it joins the bay of Fundy, that it is on a line drawn from the west to the east cape or head land that forms the bay of Passamaquoddy, and from thence drawn through the middle of this bay or mouth, and along the middle of the St. Croix to its source, &c. &c. should be our eastern boundary. My reasons for this opinion are these:—from this point (wherever it is) a line is to be drawn due east in order to determine what islands belong to the United States, and what not. Now, to draw such a line from any point within the eastern cape or head land must cross over a tract of main land before it can touch the bay of Fundy proper, and involve us in all these difficulties respecting the islands near the eastern shore beyond Passamaquoddy, which I have before mentioned. Again the bay of Passamaquoddy is not mentioned in all the treaty, although noticed in Mitchel's map and all the maps of that country in the American atlas. Wherefore the commissioners I conceive must consider it as a part of the bay of Fundy, or as the mouth of the St. Croix. We have already observed the absurdity of considering it as a part of the bay of Fundy, and fixing the mouth of the St. Croix at the Devil's Head or any where else within the eastern cape; therefore they must consider it as the mouth of the St. Croix, or they could have no respect to it whatever. But if we carefully inspect Mitchel's map and those in the American atlas, and compare these drafts with the whole description of our eastern boundary, my

hypothesis appears to me the only intelligible and consistent one that can take place. For instance, if we consult Mitchel's map, a line drawn from the eastern and western capes, and bisected in the middle, strikes me as the identical point intended by the commissioners; from hence a line drawn due east escapes the eastern cape and determines to whom the islands belong, in a rational and consistent manner; from hence also a line drawn through the middle of the bay and up the St. Croix will make a pretty equal division of the Bay of Passamaquoddy and the islands therein, which it is natural to suppose was intended; and if we inspect the several maps in the American atlas, the same ideas naturally arise, and upon this principle, most, if not all Campobello and a great part of Deer Island belongs to us, for the exceptions are respecting those islands only which are situated between lines drawn due east from certain points mentioned in the treaty.

With respect to the river intended by the commissioners as the boundary between us and Nova Scotia, I think they alone must determine, for as they are entirely silent with respect to any description, but the bare name of St. Croix, and as the Passamaquoddy and Maggadava have both obtained that name, I think it impossible to determine which is the river intended by the description they have given us. It may, however, be well to observe, that the river Schoodic, or a river by the name of Schoodic, is not to be found in Mitchel's map, the American Atlas, or any other draft that I have seen. Mitchel, at the head of St. Croix, has a lake which he calls Koneaki. This is evidently an Indian name, but is not the name of either of the lakes or ponds on the Schoodic, that I have heard of.

Mr. Jeffers, author of the American atlas, in one of his maps, which he tells us is a new one, made from various surveys and corrected from divers astronomical observations, has given us two rivers by the name of St. Croix. The eastern one he has contended as the dividing line between us and Nova Scotia, and is undoubtedly the Maggacadava; the western river he calls Passamaquoddy or St. Croix. You will please to observe that in my plan, just above the last falls, I have marked the mouth of a river coming in on the right, near as large as the Schoodic, called by the natives Passamaquoddy. Now, if the treaty should be explained to intend the western St. Croix, yet the boundary line cannot follow the river now known by the name of the Schoodic to its source, but must be confined to the Passamaquoddy, or eastern branch of the western St. Croix; for with what propriety they should claim beyond this and follow the Schoodic (a river not known in any map) above the forks, I cannot conceive; and I think it highly probable that the name of Schoodic was by the natives originally confined to the western branch, and that the name of Passamaquoddy extended from the forks quite down to the bay of the same name, for otherwise there is no connexion between the river and the bay which bear the same name, and which probably were derived the one from the other, which is commonly, if not always the case.

I am gentlemen, &c.

RUFUS PUTNAM.

To MESSRS. PHILLIPS, WELLS }
and DANA. } *Committee.*

True Copy. }
Attest: } JOHN AVERY, Jr. *Secretary.*

FROM GENERALS LINCOLN AND KNOX TO THE GOVERNOR OF MASSACHUSETTS.

Boston, October 19, 1784.

Sir,

In obedience to your Excellency's commission, bearing date July 12th, 1784, the subscribers, two of the Commissioners named therein, proceeded the latter end of August to the Bay of Passamaquoddy, and there endeavored to inform themselves, of what encroachments had been made by the subjects of his Britannic Majesty on the territories of this Commonwealth.

They beg leave to inform your Excellency, that a very considerable number of British subjects are settled at a place called St. Andrews, on the eastern bank of the river Schudac, which, in the opinion of your Commissioners, is clearly within the limits of this State.

By your Excellency's leave, they will recite a short state of facts on which this opinion was formed.

There are three very considerable rivers which empty themselves into the Bay of Passamaquoddy, which is from five to seven leagues wide. The eastern river falls into the bay about a league from the head of it, and perpendicular to the eastern side. The middle river falls into the bay far on the westerly side of the head of it, and in a direction parallel therewith. The western river falls into the bay about six leagues from the head of it, on the westerly side, and nearly perpendicular to it, all of which, in late British maps, are called St. Croix. The first is, by the Indians, called Mackadavia, the second Schudac and the third Cobbescook. From every information the subscribers could obtain, on an

inquiry of the Indians and others, the eastern river was the original St. Croix ; this is about three leagues east of St. Andrews, where the British inhabitants have made a settlement.

Soon after the subscribers received their commissions, they wrote to Mr. Jay, requesting him to give them information whether the commissioners for negotiating the peace confined themselves in tracing the boundaries of the United States to any particular map, and if any one, to what ; since their return they received his answer, mentioning that Mitchel's map was the only one that the Commissioners used, and on that they traced the boundaries agreed to. This, in the opinion of the subscribers, is a fact which must facilitate an equitable decision of the matter, though Mitchel's map is not accurate, at least in the description of the eastern part of this State. He has described but too instead of three rivers, which empty themselves into the Bay of Passamaquoddy. The eastern of those he has placed at the head of the Bay near the centre of it, and calls it St. Croix. The western river he has called by the name of Passamaquoddy ; hence it is plain, that though the map is inaccurate, yet the eastern river, which empties itself into the Bay, is, in the opinion of Mitchel, the St. Croix. This opinion is further supported by the deposition of Mr. Mitchel, accompanying this report.

The subscribers are informed that the Mr. Jones mentioned in the deposition, is soon expected in this town, who will depose to the same facts. The subscribers further represent, that they find in the maps of a quarto volume, published in Paris in 1774, from Charlevoix's

voyages to North America, made in 1694, two rivers delineated at the head of the bay of Passamaquoddy, the western of which is called Passamaquoddy, the eastern St. Croix. Although the mouth of the river St. Croix is but little more than three leagues east of the banks of the Schudac, on which the British subjects are settled, yet, from the different courses of the two rivers, the source of the western branch of the Schudac is nearly an hundred miles from the source of the St. Croix.

From a view of the rapid improvements made by the British subjects on the banks of the Schudac, the subscribers could not but suppose that the idea of their removal, would always embarrass a settlement of the line agreeably to the treaty of peace.

They, therefore, have thought it their duty to suggest the propriety of quieting such British settlers in their possessions, who are desirous of becoming inhabitants of the United States.

That the General Court might have time to take this matter into their consideration, they have deferred writing to the Governor of Nova Scotia, though they could not have done this until within a few days past, from the necessary delays which have attended the procuring the evidence relative to the ancient St. Croix.

Want of health prevented the attendance of Mr. Patridge.

We have the honor to be, &c.

B. LINCOLN,
H. KNOX.

True copy.
Attest:

} JOHN AVERY, Jr. *Secretary.*

By desire of the Secretary of State, the papers recorded herein from page 55 to page 76, inclusive, were this day re-examined by me, and rendered conformable to the originals.

GEO: TAYLOR,
Chief Clerk in the Department of State.



Office for Foreign Affairs, }
September 22, 1785. }

The Secretary of the United States for the Department of Foreign Affairs, to whom was referred certain official papers delivered to Congress by the Delegates of Massachusetts on the 19th inst. relative to attempts of the province of New Brunswick to extend their jurisdiction to Moose island, &c. reports :

That, in his opinion, the advice given by the Council to his Excellency the Governor of Massachusetts, on the 9th inst. was proper, and that as one unopposed encroachment always paves the way for another, the Commonwealth of Massachusetts be advised by Congress to proceed, without *noise* or *delay*, to garrison such places in their actual possession as may be most exposed.

Your Secretary proposes, by these garrisons, to support the inhabitants in their allegiance, and to overawe New Brunswick peace officers, whom impunity might tempt to be insolent and troublesome. He thinks these garrisons should not be so large as to give alarm; that they should be under select and discreet officers; that they should be formed by immediate detachments from the militia of some of the other counties, be at conti-

mental charge, and be as soon as may be, relieved by detachments from the continental troops raised or *to be raised for the frontiers*; that they should be ordered never to pass our limits, and to act only on the defensive, or when called upon to support the civil authority. However delicate this measure may appear, it may, in the opinion of your Secretary, be safely confided to the prudence of the Governor and Council of Massachusetts.

Nothing should be done to provoke hostilities on the one hand; and on the other it must be remembered, that too great and manifest reluctance to assert our rights by arms, usually invites insult and offence.

Your Secretary is very apprehensive, that to permit these disputes to remain unsettled, will be to risk mutual acts of violence, which may embroil the two nations in a war. He, therefore, takes the liberty of calling the attention of Congress to a report he had the honor of making to Congress on this subject the 21st April last.

Your Secretary thinks that no nation can, consistent with the experience of all ages, expect to enjoy peace and security any longer than they may continue prepared for war, and he cannot forbear expressing his fears, that the United States are not at present in that desirable situation.

As the eleventh article of the treaty of alliance between his Most Christian Majesty and the United States, contains an explicit and perpetual guarantee of all the possessions of the latter, your Secretary thinks it would be advisable to apprise the Court of France of the disputes in question, that his Majesty may co-operate with

the United States in measures proper to bring about a settlement of them. In his opinion, these measures should be formed and pursued in concert with France, and in such a manner, as that she may have no just cause to be dissatisfied, or to say, that as we acted without her concurrence, we alone are to be responsible for the consequences.

All which is submitted to the wisdom of Congress.

JOHN JAY.



Official papers on which the preceding Report was founded.

FROM JAMES AVERY, ESQ. TO THE GOVERNOR OF MASSACHUSETTS.

Passamaquoddy, August 23, 1785.

Sir,

Being at this place on some private business of my own, I was informed that the government of New Brunswick had asserted their claims to Moose island, Dudley and Fred isle, all lying to the westward of Schooduck river, these islands were surveyed last season by general Putnam, by order of the committee on eastern lands, and the two last mentioned sold by them to colonel Allen, who has, with M. de le Derniers, settled thereon, built houses and stores, and cleared up the lands at great expense. Moose island is large, and well situated for trade, and has a number of worthy inhabitants settled on it. A few days ago, Mr. Wyer, high sheriff for Charlotte county, posted up an advertisement on Moose island, directing the inhabitants to attend the courts at St. Andrews as jurymen, this alarmed the inhabitants,

as they were threatened, in case of refusal, to be deprived of their estates; some weak and designing minds were for complying, others determined not, at all events. Application was made to me by colonel Allen, the naval officer, colonel Crane, major Treacott, with a number of other principal gentlemen, to do something to counteract the proceedings of Mr. Wyer, as it would be very detrimental to the claims of our government, in settling the boundary in regard to the islands, for the inhabitants to obey and acknowledge the jurisdiction of Great Britain—therefore, I went on to the island and warned them (as a justice of the peace) that as they were subjects of this Commonwealth, not to obey the orders of any other power whatever; this I conceived to be my duty to do, more particularly as it is part of my district as collector of excise, and I have a deputy on the same island. This matter is of the utmost consequence to our government; for should the British take in these islands, we should be entirely cut off from going up the river Schooduck, and likewise these islands having been surveyed by order of the Commonwealth, and two of them sold to gentlemen, who have laid out as much as £500 or £600 in buildings and improvements. Our government must in honor protect them, or repay what damages they may suffer. Since this matter has taken place, I was up to St. Andrews on some business of my own, and had a long conversation with Mr. Wyer, the high sheriff, Mr Pagan, and other principal persons; they say they acted by advice and directions of Judge Ludlow, who is of opinion, that all the islands in the bay of Passamaquoddy belong to New Brunswick, and are determined to support their claim, and should the inhabitants refuse to obey the summons, they may de-

pend on being punished; they also let me see a long letter from Lord Sidney, wherein he informs that notwithstanding the opinion of the Massachusetts, and the report of Generals Knox and Lincoln (which was then before him) his Majesty's servants were fully clear that Schooduck was the boundary, and his Majesty's subjects settled between that and the Madecadawie (or what we call St. Croix) might fully rely on their protection. Mr. Wyer made use of many arguments to show the propriety of their claims to all the islands; among others, he said before the war the inhabitants on all of them in any of their disputes applied to magistrates belonging to Nova Scotia for redress, and acknowledged themselves subjects of that province, and the Massachusetts not asserting any right over them was tacitly acknowledging it to be so.

I hope your Excellency will not think I have been too forward. I acted from a principle of public good. Agreeably to the principles they advance (as well as Lord Sheffield's ideas in his publications,) if the inhabitants should acknowledge the jurisdiction of that government, it would more fully support their claims, which I hope will now not be the case. The time was so short, it would not admit of the inhabitants receiving any orders from your Excellency on the subject, before the time they were directed to attend. I shall continue to keep a deputy collector of excise on Moose island to regulate that business, until I receive orders from your Excellency to the contrary.

I have the honor to be, &c.

JAMES AVERY.

His Excellency JAMES BOWDOIN, Esquire.

True copy of the original letter.

Attest :

W. HARRIS, *Dy. Secretary,*

Commonwealth of Massachusetts.

In Council, September 9, 1785.

His Excellency the Governor laid before the Council a letter from James Avery, Esquire, relative to the government of New Brunswick, asserting their claims to Moose island, Dudley, and Fred island, all laying to the westward of Schoodic river, and requested their advice upon the subject.

Thereupon, advised that his Excellency the Governor acquaint James Avery, Esquire, that the Governor and Council highly approve of his vigilant attention to the important interest of the Commonwealth; and that the said James Avery be directed to inform the inhabitants of the said islands, that the said islands are within the jurisdiction of this Commonwealth; and that the government, confiding in their fidelity, expects and requires the inhabitants of the same to conduct themselves in every respect, as becomes true and faithful subjects of this Commonwealth.

That a letter be written by his Excellency the Governor, to the Governor of New Brunswick, upon the subject of these encroachments; and that a copy of the letter from James Avery be sent to our delegates at Congress with the proceedings of the Governor and Council upon this business, to be laid before Congress.

True Copy.

Attest:

} W. HARRIS, *Dy. Secretary.*

FROM THE GOVERNOR OF MASSACHUSETTS TO THE GO-
VERNOR OF NEW BRUNSWICK.

Commonwealth of Massachusetts, }
Boston, Sept. 9, 1785. }

Sir,

I am informed by a gentleman, who is an inhabitant in the eastern part of this Commonwealth, that the government of New Brunswick hath *asserted* a claim to Moose, Dudley, and Fred Islands; but I flatter myself he has extended his ideas beyond the real fact; for he mentions only the conduct of the Sheriff of your county of Charlotte, (Mr. Wyer,) grounded on the advice and direction of Judge Ludlow, in advertising and directing the inhabitants of Moose Island to attend the Courts at St. Andrews as jurymen, upon pain, in case of refusal, of forfeiting their estates.

As I am not informed that your Excellency has interposed your authority, I am inclined to believe that my informant had been premature in forming an opinion, that the government of New Brunswick had given its sanction to a measure, altogether unexpected and insupportable. I have, however, given your Excellency this information, assuring myself, that your Excellency will take order effectually to prevent the abovementioned, and every other encroachment on the territorial rights and sovereignty of this Commonwealth, and of the United States.

With regard to the lands lying to the east of the river Schoodic, and between that and the river St. Croix, or as the Indians call it Maggacadava, relative to which some of the subjects of Great Britain, under your immediate government, appear to have adopted an improper

opinion, it is a matter before Congress, who, I am assured, will give instructions to their Minister at the Court of London, to assert and maintain their just claims as set forth in the treaty agreed to between the two nations.

I have the honor to be, &c.

JAMES BOWDOIN.

His Excellency, THOMAS CARLETON, Esq.

FROM JOHN JAY TO JOHN ADAMS.

New York, November 1, 1785.

Dear Sir,

It will, I am persuaded, give you pleasure to receive the enclosed act of Congress, of 14th ult. for compensating the services of our friend Dumas, and alleviating the uneasiness and anxiety which seems for some years past to have oppressed him on that account.

I have already sent him a copy of it, but lest that may miscarry, and that you also may be informed of it, I enclose a duplicate copy.

I have the honor to be, &c.

JOHN JAY.

FROM JOHN JAY TO JOHN ADAMS.

New York, November 2, 1785.

Dear Sir,

Mr. Houdon, the celebrated statuary of Paris, who has taken a bust of general Washington, and is to make

his statue for Virginia and *perhaps* another for the United States, is the bearer of this.

His character as an artist being high, and in other respects, as far as I can learn, unexceptionable, I take the liberty of introducing him to you. Not understanding English, he will be much a stranger in London, and your friendly offices of course will be the more acceptable and grateful to him.

I am, dear Sir, &c.

JOHN JAY.

FROM JOHN ADAMS TO JOHN JAY.

Grosvenor Square, Westminster, August 25, 1785.

Dear Sir,

Yesterday I had a long conference with Mr. Pitt for the first time. He never had proposed any interview with me, and I had delayed to request him to appoint any time, after the first ceremonial visit, for two reasons, because that while Parliament was sitting, his time and mind were so engaged, that it was impossible he should attend in earnest to the affairs of the United States, and because I expected that a little time would bring, both from America and Ireland, intelligence which would somewhat lessen that confidence, with which the Ministry and the nation were elated. Such intelligence has now arrived. The twenty resolutions have been in effect given up, that they might not be rejected by the Irish Parliament; and the Massachusetts act of navigation has appeared, together with advices from Virginia, Philadelphia, New York, and various other parts of the United

States, which have excited a serious apprehension that all have the same principles and views.

I shall not attempt to give you the conversation in detail, yet it is necessary to give some particulars, from which you may judge how much or how little may result from the whole. He asked me what were the principal points to be discussed between us? I answered, that I presumed the Marquis of Carmarthen had laid before the King's servant some papers, which I had done myself the honor to write to him. He said he had. I replied, that those letters related to the evacuation of the posts upon the frontier; to the construction of the armistice; and to a treaty of commerce; and that besides these, there were the negroes carried off contrary to the treaty, and some other points, which I had particularly explained to Lord Carmarthen. He said that the carrying off the negroes was so clearly against the treaty, that they must take measures to satisfy that demand, if we could prove how many were carried off. I told him that Sir Guy Carleton could easily ascertain the number, and that Colonel Smith, who negotiated with Sir Guy, could do the same, and that I had the evidence of their proceedings ready to produce whenever it was wanted. He entered then into the subject of the armistice, and we were longer on this point than we needed to have been. I observed to him that Mr. Blowers's construction was demonstrably absurd, because it would place the whole coast of America in the period of five months; the coast of the United States certainly was not between the Canary islands and the Equator, and, therefore, could not be included in the period of two months; it is neither in the Channel nor North seas, and therefore,

cannot be within the period of twelve days; consequently, if it is not in the period of one month, it must be in that of five months, an idea that never could have been entertained a moment by either of the contracting parties. Mr. Pitt said he thought that was clear, and that this point might be easily settled; but, as to the posts, says he, that is a point connected with some others, that I think must be settled at the same time. I asked him what those points were? He said, the debts; several of the States had interfered against the treaty, and by acts of their legislatures had interposed impediments to the recovery of debts, against which there were great complaints in this country. I replied to this, that I had explained this at great length to the Marquis of Carmarthen; but that I might now add, that Congress had, very early after the peace, proposed an explanation of the article, as far as it respected the interest of debts contracted before the war, they had instructed their Ministers at Paris to propose such an explanation to this Court; that we had proposed it, through Mr. Hartley first, and the Duke of Dorset afterwards, and that I had renewed the proposition to my Lord Carmarthen, upon my first conference with him; but that we had never received any answer. I thought it was best there should be an explanation; for I was persuaded that an American jury would never give any interest for the time which run during the war. Mr. Pitt said, that would surprise the people here, for that wars never interrupted the interest nor principal of debts, and that he did not see a difference between this war and any other, and the lawyers here made none. I begged his pardon here, and said, that the American lawyers made a wide differ-

ence, they contended that the late war was a total dissolution of all laws and government, and consequently of all contracts made under those laws, and that it was a maxim of law, that a personal right or obligation once dissolved or suspended, was lost forever; that the intervention of the treaty, and the new laws, were necessary for the revival of those ancient rights and obligations; that these rights were in a state of non-existence during the war, and no interest during that period could grow out of them. These being the opinions in America, it was not probable that any jury would be found, from Georgia to New Hampshire, who would give, by their verdict, interest to a creditor; and, therefore, it was most fair and equitable, that an explanation should be made, that the same rule of law might be observed on both sides. This observation appeared to strike him, he said, if there was any danger of this, it would be best that an explanation should be made, but that the balance of debts was much in favor of this country; which I did not deny, but, he said, the government would not dare to make it, without previously feeling out the dispositions of the persons chiefly interested, and knowing how it would be taken by them. We had a much longer conversation concerning these debts, and the difficulty of paying them, arising from the restrictions on our trade, in which I repeated to him what I had before said to Lord Carmarthen, and to the deputies of the Scotch creditors, but as I have transmitted that to you before, it is unnecessary to repeat it here.

He then began upon the treaty of commerce, and asked what was the lowest terms which would be satisfactory to America; I answered that I might not think

myself competent to determine that question. Articles might be proposed to me that I should not think myself qualified to decide upon, without writing to Congress; but I would venture so far as to say, that I thought the project I had communicated to Lord Carmarthen would give satisfaction to America, and secure the friendship of the United States, and the essence of their trade to this country. But that, in proportion as a plan less liberal was adopted, that friendship would be precarious, and that trade would be scattered. I added, that the most judicious men in America had been long balancing in their minds, the advantages and disadvantages of a commerce perfectly free on one side, and of a navigation act on the other; that the present time was a critical one; the late intelligence from all parts of America concurred with the navigation act of Massachusetts, in proving which way the balance began to incline; and in my opinion, it would be decided by the conduct of this country, it was now in his, Mr. Pitt's power, to decide it; but the more Americans reflected upon the great advantages, which they might derive from a navigation act, the more they would become attached to that system. I had heard there were five hundred foreign ships employed the last year in the commerce of the United States. How easy would it be to have all these ships the property of American citizens; and the navigators of them American seamen? There was once a statute in England (that of 3, Ric. 2, C. 3.) "That none of the King's liege people should ship any merchandize out of, or into the realm, but only in ships of the King's liegeance, on pain of forfeiture." I asked him what physical or political impediment there was, to prevent the

United States from adopting that very act, in all its rigor. The right of every nation to govern its own commerce, its own exports and imports, would not be denied, nor questioned by any nation; to this he agreed. Our ability to build the ships, and our abundance of materials could not be doubted; this he assented to. Nobody would pretend that our produce would not find a market in Europe in our ships, or that Europeans would not sell us their manufactures to carry home in them. Even England, if she should make ever-so strict laws to prevent exports and imports in our bottoms, would still be glad to receive and consume considerable quantities of our produce, though she imported them through France or Holland, and to send as many of her manufactures as we could pay for, through the same channels.

He more than smiled assent to this, for he added that there were American articles of much importance to them, but he said, that Englishmen were much attached to their navigation, and Americans too, said I, to theirs; but, said he, the United States, having now become a foreign nation, our navigation act would not answer its end, if we should dispense with it to you. Here I begged his pardon again, for I thought their navigation act would completely defeat its own end, as far as it respected us; for the end of the navigation act, as expressed in its own preamble, was to confine the commerce of the colonies to the mother country; but now we were become independent States; if carried into execution against us, instead of confining our trade to Great Britain, it would drive it to other countries. This he did not deny; but, said he, you allow we have a right; certainly I do; and you, Sir, will allow we have a right too, yes I do; but

you cannot blame Englishmen for being attached to their ships and seamen, which are so essential to them; indeed I do not, Sir; nor can you blame Americans for being attached to theirs, which are so much fewer and so much more essential to them; no, I do not blame them.

As this was a very sprightly dialogue, and in very good humor, I thought I might push it a little. I will be very frank with you, Sir, said I, and I think it will be best for us to go to the bottom of these subjects. The Americans think that their exclusion from your West India islands, the refusal of their ships and oil, and other things, and their exclusion from your colonies on the continent and Newfoundland, discovers a jealousy of their little naval power and a fixed system of policy to prevent the growth of it, and this is an idea that they cannot bear. No, says he, if we endeavored to lessen your shipping and seamen, without benefitting or increasing our own, it would be hard and unreasonable, and would be a just ground of uneasiness; but when we only aim at making the most of our own means and nurseries, you cannot justly complain. I am happy, Sir, to hear you avow this principle, and agree with you perfectly in it; let us apply it, both parties having the right and the power to confine their exports and imports to their own ships and seamen, if both exercise the right, and exert the power in its full extent, what is the effect? The commerce must cease between them. Is this eligible for either? To be sure, said he, we should well consider the advantages and the disadvantages in such a case; if it is not found to be eligible for either, said I, after having well considered what remains, but that we should agree upon a liberal plan and allow equal

freedom to each other's ships and seamen, especially if it should be found that this alone can preserve friendship and good humor; for I fully believe that this plan alone can ever put this nation in good humor with America, or America with this country. He then mentioned ships and oils. He said we could not think hard of them for encouraging their own shipwrights, their manufacturers of ships, and their own whale fishery. I answered, by no means; but it appeared unaccountable to the people of America, that this country should sacrifice the general interest of the nation, to the private interest of a few individuals interested in the manufacture of ships and in the whale fishery; so far as to refuse these remittances from America, in payment of debts, and in payment for manufactures which would employ so many more people, augment the revenue so considerably, as well as the national wealth, which would, even in other ways, so much augment the shipping and seamen of the nation. It was looked upon in America, as reconciling themselves to a diminution of their own shipping and seamen, in a great degree, for the sake of diminishing ours in a small one; besides keeping many of their manufacturers out of employ, who would otherwise have enough to do; and besides, greatly diminishing the revenue, and consequently, contrary to the maxim which he had just acknowledged, that one nation should not hurt itself for the sake of hurting another, nor take measures to deprive another of any advantage, without benefiting itself.

He then asked if we could grant to England, by a treaty, any advantages which would not immediately become the right of France? I answered, we could not. If the advantage was stipulated to England without a

compensation, France would be entitled to it without compensation. But if it was stipulated for an equivalent, or reciprocal privilege, France must allow us the same equivalent or reciprocal privilege; but I added, France would not be a very successful rival to Great Britain in the American commerce, upon so free a footing as that of the mutual liberty of natural born subjects and citizens; upon the footing of the most favored nation, France would stand a good chance in many things. In case of mutual navigation acts between Britain and America, France would have more of our commerce than Britain. In short, Britain would lose and France gain, not only in our commerce, but our affections, in proportion as Britain departed from the most liberal system. Upon this he asked a question which I did not expect. What do you really think, sir, that Britain ought to do? That question, sir, may be beyond my capacity to answer, and my answer may be suspected; but if it is, I will answer it to the best of my judgment, and with perfect sincerity. I think this country ought to prescribe to herself no other rule, but to take from America every thing she can send as a remittance; nay, to take off every duty, and give every bounty that should be necessary to enable them to send any thing as a remittance. In this case, America would prescribe to herself no other rule than to take of British productions as much as she could pay for. He might think this no proof of our republican frugality, but such was the disposition of our people, and how much soever I might lament it, I would not disguise it. He then led me into a long rambling conversation about our whale fishery, and the English whale fishery, and the French whale fishery, that M. de

Calonne is essaying to introduce, too little interesting to be repeated; yet I should mention that he asked me a sudden question, whether we had taken any measures to find a market for our oil any where but in France? This question must have been suggested to him, I think, either by information that our oil is wanted in some countries upon the continent, or by a suspicion that we have been trying to introduce our oil into Ireland. I answered that I believed we had, and I have been told that some of our oil had found a good market at Bremen; but there could not be a doubt that spermaceti oil might find a market in most of the great cities in Europe, which were illuminated in the night, as it is so much better and cheaper than the vegetable oil that is commonly used. The fat of the spermaceti whale gives the clearest and most beautiful flame of any substance that is known in nature, and we are all surprised that you prefer darkness, and consequent robberies, burglaries, and murders in your streets, to the receiving, as a remittance, our spermaceti oil. The lamps around Grosvenor Square, I know, and in Downing street I suppose, are dim by midnight, and extinguished by two o'clock; whereas, our oil would burn bright till nine o'clock in the morning, and chase away before the watchmen all the villians, and save you the trouble and danger of introducing a new police into the city.

He said he owned he was for taking advantage of the present short time of leisure, to mature some plan about these things. I told him I rejoiced to find that was his opinion, and that I would be at all times ready to attend him or any other minister, whenever any explanation should be wanted from me; that I was anxious for an answer concerning the posts, as I was in duty bound to

insist on their evacuation. He said he thought that connected with several other points, and should be for settling all these together, so that he must reserve himself at entire liberty concerning them.

I am sorry that in representing all these conversations, I am obliged to make myself the principal speaker; but I cannot get them to talk. The reason is, they dare not; all must be determined in the cabinet, and no single minister chooses to commit himself, by giving any opinion which may be ever quoted to his disadvantage by any party.

This is not only the state of mind of every Minister, but of every Ministry; they have an unconquerable reluctance to deciding upon any thing, or giving any answer; and although Mr. Pitt and Lord Carmarthen have hazarded opinions upon some points to me. I do not believe I shall get any answer, officially, from the cabinet, or the Minister of Foreign Affairs. I wish for an answer, be it ever so rough or unwise. Mr. Pitt I confess was much more open than I expected. He was explicit in my favor relative to the negroes, the armistice, and for digesting the whole in the present leisure, and giving me an answer. I should rejoice in a cabinet answer to all my letters, and especially in a counter project of a treaty; but I will be so free as to say, I do not expect any answer at all before next spring, nor then, unless intelligence should arrive, of all the States adopting the navigation act or authorizing Congress to do it, and even in that case, I am inclined to think they will try the experiment and let our navigation acts operate, to satisfy themselves which people will first roar out with pain. They deceive themselves yet in many points, which I may enumerate in a future letter.

From what Mr. Pitt said, I am convinced we shall have no answer concerning the posts.

With great respect, &c.

JOHN ADAMS.

This letter will be delivered to you by Mr. Charles Storer, your old acquaintance, who has served me much as a private Secretary, and that without fees.



FROM JOHN ADAMS TO JOHN JAY.

Grosvenor Square, Westminster, August 28, 1785.

Sir,

I do myself the honor to enclose to Congress the statute of 25 G. 3, c. 81, for the better securing the duties payable on tobacco, and another statute of the 25 G. 3, c. 67, to prohibit the exportation to foreign parts, of tools and utensils made use of in the iron and steel manufactures of this kingdom; and to prevent the seducing of artificers or workmen employed in those manufactures, to go into parts beyond the seas. The prohibited tools are all enumerated, hand-stamps, dog-head-stamps, pulley-stamps, stamps of all sorts, hammers and anvils for stamps, screws for stamps, iron rods for stamps, presses of all sorts, in iron, steel or other metal, which are used for giving impressions to metal, or any parts of these several articles, presses of all sorts, called cutting-out presses, beds and punches to be used therewith, piercing presses of all sorts, beds and punches to be used therewith, either in parts or pieces, or fitted together, iron or steel dies to be used in stamps or

presses, either with or without impressions on them, rollers of cast-iron, wrought-iron or steel, for rolling of metals, and frames for the same, flasks or casting-moulds and boards used therewith, lathes of all sorts for turning, burnishing, polishing, either the whole together, or separate parts thereof, lathe-strings, polishing-brushes, scouring or shading engines, presses for horn buttons, dies for horn buttons, sheers for cutting of metal, rolled steel, rolled metal, with silver thereon, parts of buttons, not filled up into buttons, or in an unfinished state, engines for chasing, stocks for casting buckles, buttons and rings, cast iron anvils and hammers for forging mills for iron and copper, rollers, slitters, beds, pillars and frames for slitting mills, die-sinking tools of all sorts, engines for making button-shanks, laps of all sorts, drilling-engines, tools for pinching off glass, engines for covering of whips, polishing-brushes, bars of metal covered with gold or silver, iron or steel screw plates, pins and stocks for making screws, or any other tool or utensil whatsoever.

I have transcribed this catalogue, because I think it is very proper that gentlemen should attend a little to it. It shews the spirit of this country towards the United States, and summarily comprehends a volume of politics for us. I suppose these tools may be had in France, Germany, and elsewhere, if a British statute was a bar to our getting them in Great Britain. I think it would be worth while for our American academies to make collections of them for their museums, such a collection would be a great curiosity, and more profitable to our country than more costly collections of shells, birds, beasts or fishes; if, however, such a collection could not be made, a work may be had in Paris, entitled, "*Art et*

Métier," in which, I suppose, every one of them is described and represented by an engraved stamp, from which our workmen may copy it.

With great esteem, &c.

JOHN ADAMS.



FROM JOHN ADAMS TO JOHN JAY.

Grosvenor Square, Westminster, August 29, 1785.

Sir,

The United States began their career upon the most liberal system of commerce. France met them with a liberal system too, or rather with an artful appearance of it. Her practice during the war was more liberal than the treaty. Since the peace she has contracted it a little, as she had a right to do, by excluding some of our produce and some of our ships, from her West India islands; and, indeed, the freedoms that the most favored nation enjoys in her ports in Europe, are by no means so ample as those, which we have allowed to her in the ports of the United States. The words monopoly, prohibition, exclusion, and navigation acts, have acquired in the world a kind of philosophical unpopularity; but whether the things signified by them will be abolished so soon as some speculators imagine, may be doubted. If there is any people upon earth who have a right to insist upon the abolition of them, in their own commerce, they are the Americans; but we have seen the reluctance of France, and especially of England, to give them up; a strong disposition has appeared to make a greater advantage of their monopolies by our liberality.

A short sketch of the commercial conflict between France and England, during the reigns of the Stuarts, may serve to show the effects of prohibitions, and the probability that England will not easily renounce them. It will shew also, the probable effects of their policy towards us, if we should not counteract it by reciprocal restrictions.

The house of Stuart, and the principal leaders in their Parliaments, were pensioners of France, and so attentive to her interests, that she obtained the supply of England, Scotland and Ireland, with the manufactures of linens, silks, paper, wines and brandies, to the amount of one million six hundred and fifty thousand pounds yearly, while she took from England, in return, only two hundred thousand pounds value yearly, of lead, tin, leather, alum, copperas, coals, horn plates, &c. and plantation goods, which left a balance of one million four hundred and fifty thousand pounds to be yearly paid to France in money; she possessed as great advantages with Ireland and Scotland in proportion to their trade.

This disproportion was owing to the protecting duties that English woollen goods were subject to in France, from twenty-four to forty per cent. on their value; by the tariff renewed in 1654, and by another tariff in 1699, they were raised from thirty-six up to fifty-five per cent. on their value; and Spanish cloth, made in England, was prohibited by the edict of 1701; and in the meantime French silks were only subject to a duty of thirteen up to twenty-three per cent. on the value imported into the British dominions; and linens about seven up to fifteen per cent. on the value; whereby their manufac-

tures and produce, imported into England alone, yearly stood thus about the year 1664, and up to 1678, viz:

French Linens,	-	-	£600,000
Manufactured Silks,	-	-	500,000
Wines,	-	-	450,000
Brandies,	-	-	70,000
Paper,	-	-	30,000
Total,			£1,650,000

They also imported into England gold and silver lace, and many other articles of luxury not here enumerated. This exhausting drain excited murmurs, and aroused the landed interest to unite with the trading interest in 1678; in passing an act prohibiting the French trade, in opposition to the court interest. In the preamble of the Act, they say "that the importation of the product and manufactures of France had exhausted the Treasury of the nation, lessened the value of native manufactures, and caused great detriment to the kingdom in general."

The advance of woollen manufactures for home consumption and exportation, in consequence of the prohibition of the French trade in 1678, raised the price of wool and all dying stuffs dependent on it, from forty to fifty per cent., and gave such general employment to the people, and such a rise to land, as was scarcely conceivable in the space of two or three years. This happy change in the circumstances of England was but of short duration; for on James the Second's accession to the throne in 1684, he called a new Parliament, who, in compliance with his wishes, and to gratify his Allies, the French, repealed the prohibitory act of 1678. The Par-

liament of England, however, to soothe and temporize with the people, when they had restored the French trade, resolved that all persons should wear the woollen manufactures of England six months in the year; but the French, notwithstanding this parliamentary non-importation resolution, poured into England upwards of four millions value of their manufactures, and put a general stop to all the English manufactures, and, with them, to the payment of rents. The scene that followed will be a warning to Ministers. Before three years expired, from the repeal of the law prohibiting the French trade, England was roused from her lethargy, banished forever the promoters of such measures, and called in and crowned the Prince of Orange. One of the first acts of King William's first Parliament was to prohibit the French trade, "as a nuisance to the kingdom," and at that day, on stating the trade between England and France, it appears that England gained by the prohibition of the French trade no less than £1,450,000 yearly.

At the treaty of Utrecht, the French, with the assistance of the administration of the last years of Queen Anne's reign, attempted to have their trade with Britain restored. The Earl of Stafford and the bishop of Bristol conducted the interests of Britain: the Marshal Marquis d'Huxelles and Nicholas Mesnager, Louis the fourteenth's private secretary, a well informed statesman, those of France. They signed a treaty of commerce the 31st March, 1713, subject to the approbation of the Parliament of Great Britain. The bishop was no match for Mesnager, who bound the British manufactures to pay by a tariff made in France so far back as the 18th September, 1664, whereby English woollen cloth (the only

article of consequence they had at that day to export to them) were subject from thirty to forty per cent. duty on the value, and on the lowest rated British articles twenty-four and a half per cent.; and the duties to be paid in Britain on French wrought silks, did not exceed seventeen and a half per cent. and those of lockrams; dowlass, and all sorts of linens, not above ten per cent. of their value at a medium; and before the revolution, France supplied all the better sort of linens used in Britain and Ireland of every denomination, as the trade for Dutch and German linens was introduced in consequence of the prohibitions laid on the French trade in 1678, and re-enacted the first year of William and Mary.

Mesnager's treaty of commerce was opposed by all the trading interests of Great Britain, and rejected by the House of Commons. In 1714 the Queen died, and with her, all sincere disposition for treaties of commerce with France.

France, however, still wishes for some treaty of commerce, and proposes it at every peace. She got it stipulated as an article in the last, and Mr. Crawford has been appointed; but I suppose the improbability of his being authorized to do any thing, has occasioned the late edicts of the French Court against English manufactures.

Most of the foregoing anecdotes of commercial history, I have taken from an Irish publication, which compares the conduct of the present administration towards Ireland to that of the Stuarts. It is well worthy the attention of America. We may learn from it what probability there is of Mr. Crawford's success, or rather we may infer from it that that commissioner was probably appointed, because it was not intended there should be any thing for him to do.

We may also conclude from it, that the English are now pursuing, towards the United States of America, the same policy which the French practised towards them in the reigns of the Stuarts. If we suffer such enormous duties to be laid by them, as are now paid upon our tobacco, and oil and other articles, and do not pursue some measures to prevent the operation of them, the balance against us will be enormous and the drain too exhausting.

The law prohibiting the exportation of tools and the emigration of workmen, is to prevent us from setting up manufactures in America, and to prevent any other nation from setting them up in order to supply us. When we see them thus in every way attack our manufactures of all sorts, especially of ships; our nurseries of seamen; our merchants, and every thing within their reach, and seem to be determined to force their goods upon us at their own prices, we have no choice but to counteract them by navigation acts, prohibitions, protecting duties, and bounties.

With great and sincere esteem, &c.

JOHN ADAMS.

FROM JOHN ADAMS TO JOHN JAY.

Grosvenor Square, Westminster, August 30, 1785.

Sir,

The more I consider what I see and hear every day, the more I am inclined to think we shall be obliged to imitate the Utopians, who, as Sir Thomas Moore informs "as to their exportation, thought it better to manage that

themselves, than to let foreigners come and deal in it, for, by this means as they understand the state of the neighboring countries better, so they keep up the art of navigation, which cannot be maintained, but by much practice in it."

I would not be understood, however, to wish that the United States should at present proceed farther than to exclude British ships from "coming and dealing" in our exportations. Other nations may be permitted, for and thing that I know, without inconveniency, at least the experiment may be tried; other foreign nations will probably have few ships employed in this way. England, Scotland, and Ireland, would have many; but if it should be found that British ships are Frenchified, Dutchified, or otherwise metamorphosed, in order to manage any part of our exportations. I hope the States will not hesitate to make the prohibition universal to the ships of all nations, and confine their exports to their own. There is no other way that I know of in which we can compensate ourselves, for that vigorous exclusion of American built ships, from the British dominions upon which all parties here, I fear, are determined. The popular cry has been universal, as I am informed. "What? Shall the United States be our ship carpenters? Shall we depend upon a foreign nation for our navigation? In case of war with them, shall we be without ships, or obliged to our enemies for them?"

With regard to duties, will our countrymen be long contented to pay four or five hundred per cent. upon their tobacco, and fifty per cent. upon other articles of their produce in the ports of Great Britain; while British subjects pay but ten per cent. upon the importa-

tion of any of their commodities in our ports? I do not believe they will. They will rather lay duties upon British luxuries, to repay their own citizens the duties they pay in British ports. It is indeed impossible to foresee where this conflict of prohibition and duties will end. It is impossible to conjecture what the English will attempt. I am not easy about the negotiations now on foot with France and Spain. I have not yet sufficiently explained myself to you upon this subject.

By the 18th article of the definitive treaty of peace, between France and England, signed at Versailles the 3d of September, 1783; it is stipulated that immediately after the exchange of the ratifications, the two high contracting parties shall name commissaries to treat concerning new arrangements of commerce, between the two nations, on the basis of reciprocity and mutual convenience, which arrangements shall be settled and concluded within the space of two years, to be computed from the first of January, in the year 1784.

In the ninth article of the definitive treaty between Great Britain and Spain, there is a stipulation in the same words, and the Duke of Manchester made a declaration to each of these powers at the same time "that the new state in which commerce may, perhaps, be found in all parts of the world, will demand revisions and explanations of the subsisting treaties."

In compliance with these stipulations and declarations, Mr. Crawford was long ago sent to Paris to treat with the Court of Versailles, and Mr. Woodward is lately appointed here to treat with Mr. Del Campo, on the part of Spain. Mr. Crawford transmitted to his Court, a year ago, a plan which he received from the French

Minister ; but I know from the Duke of Dorset, who told me himself that Mr. Crawford had no answer from England for six months, and indeed I conjecture that he had none till since the edict of the French King prohibiting British manufactures. If these arrangements are not made before the first of January, the two years will be expired, and nothing more will be said of them until another war and peace. But, I confess, I shall be anxious until new-year's day ; the conduct of this Court in these discussions with France and Spain, is very interesting to us, as it will throw much light upon their intentions towards us. There are great appearances of a fixed intention to keep the peace with France and Spain for a long period. The late advice of the Ministers of the King of Great Britain to the Elector of Hanover, to join the league of the King of Prussia, against the views of the Emperor and Empress, can be accounted for on no supposition but that of a determination, in all events, to preserve their peace with France and Spain. Whence this love of France or of Spain ? Neither is a natural passion in an English breast ; let my country answer, "it is not love of me." On the contrary, although I wish not to alarm my fellow citizens, it appears to me that the plan of this country towards us is nearly settled, it is not fully, and will not be until the next budget is opened ; the next budget will decide the fate of this country, and especially her system towards the United States.

If Mr. Pitt should be then, in 1786, able to justify his hypothesis at the opening of the budget in 1785, and shall be able to shew that the taxes have increased in the proportion with the hope of which he flattered himself and the nation, this government will then preserve

the peace with France and Spain, at almost any rate, persevere in their system of commerce respecting the United States of America, in spite of all your arguments and remonstrances, prohibitions and retaliations, and ultimately attack you with a new war. In my private opinion, in the meantime, it is their fixed design to keep possession of the posts on the frontier. Sir John Johnson is certainly going out, and it is given out that fifteen hundred men are going to Quebec, and materials, engineers and workmen, for large fortifications in Nova Scotia.

In short, Sir, America has no party at present in her favor; all parties, on the contrary, have committed themselves against us, except Shelburne and Buckingham, and the last of these is against a treaty of commerce with us, so is even Mr. Temple who is gone out to New York, appointed, as I suppose, in compliment to his namesake, the Marquis of Buckingham. I had almost said the Friends of America are reduced to Doctor Price and Doctor Jebb. Patience, under all the unequal burthens they impose upon our commerce, will do us no good, it will contribute in no degree to preserve the peace with this country. On the contrary, nothing but retaliation, reciprocal prohibitions, and imposts, and putting ourselves in a posture of defence will have any effect.

This country can furnish their West India Islands and continental colonies and Newfoundland, so that we cannot suddenly make them feel. We cannot prevent the introduction of their manufactures among us so effectually as to make them feel us very soon. They may lessen the duties on Spanish tobacco, so as to make the Spaniards our rivals and hurt our tobacco States. There are many ways in which they may hurt us, of which we should

be apprized beforehand. Ships and oil, all men say, will never be received of us.

I hope the States will be cool and do nothing precipitately; but I hope they will be firm and wise, confining our exports to our own ships, and laying on heavy duties upon all foreign luxuries, and encouraging our own manufactures appear to me to be our only resource, although I am very sensible of the many difficulties in the way, and of the danger of their bringing on, in the course of a few years, another war. Nothing but our strength and their weakness will, in my opinion, protect us from such a calamity. They will never again pour large armies into the United States: but they think they can distress us more by cutting off all our trade by their shipping, and they mean that we shall have no ships nor sailors to annoy their trade.

I would, however, advise the States to suspend their judgments as much as they can, without suspending their navigation acts, until another spring and summer shall have developed the British system of politics in Germany; their plans with France and Spain, and above all, the state of their debts and taxes, and their credit.

I do not believe the ministers have yet digested their own system; it will depend still, in some measure, upon contingencies; there is a taciturnity among them that is very uncommon. They have spies in every corner who can carry them every whisper as punctually as the police of Paris. I wish I had better means of obtaining intelligence from them, and watching their words and actions; but information of this kind is costly beyond my revenues.

With great esteem, &c.

JOHN ADAMS.

FROM JOHN ADAMS TO JOHN JAY.

Grosvenor Square, Westminster, August 31, 1785.

Sir,

The Marquis of Carmarthen told me a story of an Italian Ambassador who resided at this Court, some years ago, which was very humorous. It was his Excellency's practice to take all the newspapers every morning, and make up his despatches by transcribing paragraphs from them. He began very gravely, "*Ho penetrato*," and went on from those words to translate whatever he found, which could amuse or inform his Court. No doubt, he acquired a great reputation at home for address, vigilance, and sagacity, in making so many wonderful discoveries. The Italian was not singular. There are many correspondences carried on with an air of mystery and profound secrecy, whose intelligence is derived from no better sources, I shall not adopt this method of making revelations to you, though, I confess I have no other means of obtaining information, or making discoveries, which are much better than the newspapers.

It is the practice of Ministers here, when they have in contemplation a project of whose utility, practicability, necessity, expediency, or popularity, they are doubtful, to set some writer to compose a pamphlet, or a number of writers to compose paragraphs in the newspapers. The pamphlets and paragraphs are read in the coffee houses, &c. other places where the politicians assemble, by the ministerial runners who take down the observations they hear, and report them to the Ministers. This method has been tried concerning the projected admission of American ships and oil, and the unanimous

voice was found to be decidedly pronounced against it. This, however, was, I presume, upon the presumption that the Americans could never unite in retaliation ; that it would be many years before they could act as a nation, and that the United States, could never make a navigation act. This is the principle upon which this nation after the peace, decided its judgment concerning the system that ought to be adopted relatively to the United States. In conference with Mr. Pitt, I made this remark to him, I told him that since I had been in England, I had made it my business to collect and read every thing which had been written and published since the peace, upon the commercial relations between Great Britain and the United States. That I found every one of these writers, who was for limiting and restraining the American commerce by prohibitions, alien duties, &c. laid it down as the fundamental principle of his system, that in all events this country was sure of the American commerce, because we could not unite and act as a nation in any retaliating prohibitions or duties. This idea had been first suggested to Lord Sheffield by some of the American refugees, and had been communicated to the nation by him and other writers, who took it from him without sufficient examination. I ventured to give Mr. Pitt my opinions in very full terms, that this principle would be found to be an erroneous one by experience, that time would shew that the English nation had been misled in its judgment by this suggestion, which they had been too prone to believe, but might find to be an error when it would be too late. It is, however, by no means certain that the clearest refutation of that error, by the utmost unanimity in America, in any measures to defend their navigation, would

now alter the public voice and public opinion here. The public is not to be easily reasoned out of a settled opinion, though it might have been easy, in the season of it, to have reasoned it into the settlement of a different opinion.

The papers are now filled with paragraphs, which an attentive reader may perceive are inserted, in order to feel out the sentiments of the people concerning a treaty of commerce with France, with Spain, with America, concerning the new Hanoverian engagements in Germany, and concerning the posts, negroes, debts, tories and all other points in dispute with the United States; they are disguised in such a manner, that it is scarcely possible to discover how the Minister inclines; nevertheless, some of them are in such a strain, and discover such an anxiety about the treaties of commerce in negotiation with France and Spain, that I suspected they (the Ministry) have made some propositions to those Courts, and are anxious both to know whether they will be accepted, or not, and how they will be received by the British and Irish nations, if they should be accepted; a few months time will remove their and our solicitude upon this head.

I have the honor to be, &c.

JOHN ADAMS.



FROM JOHN ADAMS TO JOHN JAY.

Grosvenor Square, Westminster, September 2, 1785.

Sir,

Mr. Temple is gone out as Consul General; whether he will be received or not in that character, before a treaty of commerce is made, I know not, if he should

not, and should not be provided with credentials as Minister he will probably wait for further instructions.

I have not made any proposition to the Ministry, as is customary, to send a Minister Plenipotentiary to America, and I shall not venture upon such a step without the instructions of Congress. My own private opinion is, that it would be advisable to make the proposition, and to insist upon it, even so far as to recall me if it is not done. These appointments familiarize the people to the idea of the importance of the United States, and have much weight in Europe. But these are not the most important considerations. A British Minister at New York would constantly transmit intelligence to his Court, it is true; but true intelligence is better than false, which now circulates with too little control, and makes impressions at Court and in Parliament, which is not easy to remove.

If Congress, however, should receive Mr. Temple, whether they do or do not propose the appointment of a Minister, they will no doubt appoint a Consul to reside in England, a Consul General to reside in London, with power of appointing Vice Consuls, in England, Scotland and Ireland. Ireland is anxious to have one, and he would do great good. I am sure I need not explain myself more fully on that head, I have received many applications, but, as I have no authority, and desire to have none, I have not transmitted them to you. I have no relations or friends to promote; if I had, I certainly should not propose them merely for that reason.

Indeed I should be afraid to propose them, lest it should be for that reason; although I might think them qualified and meritorious.

The Consuls and Vice Consuls are very useful to Ambassadors and Ministers in many ways that I need not explain to you. There is generally a good understanding between them, and there always will be when proper men are appointed to both places.

I do not remember that I have ever proposed to Congress the appointment of a Consul in Holland, I might have made some new friends or obliged some old ones, perhaps, by recommending them; I shall, however, recommend no one, but I cannot but think the office would be useful there, and in Sweden and Prussia too, for I suppose the treaty is concluded by this time; Consuls would explore new channels of commerce and new markets for our produce; as well as other sources of supply for us, that we may become less dependent upon England, if she should continue unreasonable. Our tobacco and oil might find markets enough, where they would have less duties to pay and procure a better price.

I know not whether Mr. Barclay would wish, or be willing to be translated to London; but a man of his prudence and judgment, vigilance and fidelity, would be wanted here. There are many others, I hope, who have those virtues, and I do not mean to recommend one man more than another.

With great respect, &c.

JOHN ADAMS.

FROM JOHN ADAMS TO JOHN JAY.

Grosvenor Square, September 3, 1785.

Dear Sir,

Mr. John Wingrove, the bearer of this letter, I believe will be found a very valuable citizen of the United States.

His qualifications you may judge of from his conversation. He has had long experience in the East Indies, and probably has a perfect knowledge of that country. I beg leave to introduce him to your civilities, and those of all good Americans.

With great respect, &c.

JOHN ADAMS.



FROM JOHN ADAMS TO JOHN JAY.

Grosvenor Square, Westminster, Sept. 6, 1785.

Dear Sir,

Yesterday I received the two letters you did me the honor to write me on the 3d August. The instructions shall be obeyed as soon as possible.

As to a letter of credence to the Queen, I believe it will now be unnecessary; but, when you send me a letter of recall to the King, it may be proper to send another to the Queen; and when you send a new Minister, to give him a letter of credence to both: such letters to a Queen consort can be but compliments, and wishes of health and prosperity to her person and family, and recommending the Minister to her Majesty's royal benevolence. I did, in the time of it, give assurances to the Marquis of Carmarthen that the omission proceeded not from want of respect, and his Lordship sent my letter to the Queen, as he afterwards told me.

As to the posts, I think I shall have no answer until the meeting of Parliament approaches, and then I expect an answer to every thing altogether, and that the surrender of the posts will be made conditional, and dependent upon some arrangements or other concerning the

debts. But the ministers are all wrapped up in silence. I really do not wonder at it. The state of the nation is critical beyond all description. The people discontented, and the populace tumultuous. In short, Sir, I have seen the time in Holland exactly like this here. I see now, as I saw then, what is not very prudent to talk about. I see that many personages of high rank, who want to converse with me freely, are afraid of being remarked, both at Court and by the mob. Indeed, I see this fear in many of the foreign ministers. Mobs were never more apprehended or dreaded in Holland, during any part of my residence there, than they are now here. There is this difference; nobody owns it here, whereas many did there. In case of a commotion, whether there would be most compliments paid to me or my neighbor, Lord North, I know not. I am not, however, uneasy or apprehensive. There is one thing in my favor; the American cause has been ever most popular among the lowest classes in this country, and I think I have seen symptoms of the same disposition continually since I have been here. It was the same in Holland, and the time may possibly come when this disposition will be as useful here as I found it there. Indeed almost all the Billingsgate you see in the papers, is calculated to counteract this tendency of the people, who, without it, would depopulate many places by emigrations.

I have communicated to the Count de Reventlaw, the Danish Minister here, the resolution of Congress of the 21st of March, and have received, in his polite answer, an obliging assurance that he would transmit it to his Court.

With great respect, &c.

JOHN ADAMS.

FROM JOHN ADAMS TO JOHN JAY.

Grosvenor Square, September 15, 1785.

Dear Sir,

Having so good an opportunity as this, by Mr. Charles Storer, I do myself the honor to transmit to Congress by him, the ratification of the treaty and convention between the United States and the States General of the United Netherlands, which I received in exchange for the ratification of Congress, transmitted to me.

I should wish that the receipt of it may be noted in the journal of Congress, and acknowledged in your despatches to me. The seals are in elegant silver boxes, one to the treaty and one to the convention.

With great respect, &c.

JOHN ADAMS.

FROM JOHN JAY TO JOHN ADAMS.

New York, November 26, 1785.

Dear Sir,

Congress, on Wednesday last made a house and chose Mr. Hancock President, but he being absent they appointed Mr. Ramsay, of South Carolina, to fill the chair for the present.

A considerable time had elapsed, during which, a sufficient number of States to proceed on business were not represented. In this interval I had the pleasure of receiving your letters of 25th, 28th, 29th, 30th, and 31st August, and 2d, 3d, 6th, and 15th September last, together with the ratifications of the treaty and conven-

tion between the United States and the United Netherlands, with the seals to each enclosed in a silver box.

I have laid them all before Congress, and am persuaded that the testimony they bear to your unremitted attention to the interests of our country, will make as strong an impression on them as it does upon me.

There is reason to hope and expect that Congress will soon find leisure to attend more assiduously to their Foreign Affairs, and enable me to write more precisely on various subjects than I have yet been able to do.

My last letters to you, were of the 1st November, by Mr. Chollet, and of the 2d, by Mr. Houdon.

I now transmit a copy of the proceedings of the commissioners respecting the negroes carried from hence at the time of the evacuation together with a list of them. It will enable you to negotiate a settlement of that business with less difficulty. It is to be observed that great numbers were carried from other places as well as from New York, and for whom the British Government ought in justice to make compensation. I shall endeavor to furnish you with such evidence of their numbers, &c. as I may be able to collect.

Mr. Temple is here and his commission is now before Congress. I shall take the earliest opportunity of communicating to you their decision respecting it.

I herewith, enclose a copy of an act of Rhode Island for vesting Congress with the power of regulating foreign trade. In one of the newspapers also sent, you will find another act of that State respecting navigation.

However discordant the various acts of the States on these subjects may be, they nevertheless manifest sentiments and opinions which daily gain ground, and which

will probably produce a proper and general system, for regulating the trade and navigation of the United States both foreign and domestic.

The federal government alone is equal to the task of forming such a system, and it is much to be wished, that partial and local politics, would cease to oppose vesting Congress with powers adequate to that great and important object.

I intended to have devoted this day entirely to writing to you; but I was unexpectedly called upon to attend a Committee of Congress this morning, and the business before them makes it necessary for me immediately to report on another matter connected with it.

I am dear Sir, &c.

JOHN JAY.

FROM JOHN ADAMS TO JOHN JAY.

Grosvenor Square, October 15, 1785.

Dear Sir,

I have received the letter you did me the honor to write me the 6th September.

The act of Congress of the 18th of August, which you enclose, shall be communicated as directed.

I have the honor to agree fully with you in your opinion, that "it is manifestly as much the interest of this country to be well with us, as for us to be well with them;" but this is not the judgment of the English nation, it is not the judgment of Lord North and his party, it is not the judgment of the Duke of Portland and his friends, and it does not appear to be the judg-

ment of Mr. Pitt and the present set. In short, it does not at present appear to be the sentiment of any body; and I am much inclined to believe they will try the issue of importance with us.

I have insisted upon the surrender of the posts with as much earnestness as prudence would warrant, but can obtain no other answer than certain hints concerning the debts and some other points, which are sufficient to convince me that the restoration of the posts will have certain conditions tacked to it. I have insisted in conversation, and have inquired in writing, but have not yet made a formal requisition by a memorial in the name and by order of the United States; if I had done it, I should have compromitted my sovereign, and should certainly have had no answer; whenever this is done, it should be followed up. I shall certainly do it, if I should see a moment when it can possibly prevail. If it is the judgment of Congress that it should be done immediately, I should be glad of their orders, which shall be exactly obeyed, I should even wish they would prescribe to me the form of the memorial.

It is, indeed, as you observe, in the power of Congress to take a certain step, which would be longer and more sensibly felt by Britain, than the Independence of the United States. You have not hinted at the nature of this measure, I can conceive of more than one, exclusion of British ships from all our exports, and a heavy duty upon British manufactures, is one; a defensive alliance with France, Spain and Holland is another. A case may happen, in which this last might be justifiable; but I presume it will not hastily be adopted, nor ever without Canada and Nova Scotia, to be admitted into our

confederation, and one-half, at least, of the best of the English West India Islands, besides stipulations for the admission of our produce freely to the French West India Islands, and some articles into France, duty free, with similar stipulations with Spain and Holland. I hope, however, the first measure will be adopted forthwith, and not the smallest article of our produce be permitted to be exported in British bottoms.

Mr. Barclay is appointed to go to Morocco, and Colonel Franks goes with him. Mr. Lamb to Algiers, and Paul R. Randall, Esquire, with him. There will be captives to redeem, as well as treaties to form.

I can obtain no answer from the Ministry to any one demand, proposal or inquiry; in this I am not alone, it is the complaint of all the other foreign Ministers; the Dutch Envoy, particularly, told me yesterday, that he could obtain no answer to any of his memorials, some of which were presented as long ago as last April. The Ministry, since the ill fortune of their studies in Ireland, have been in a lethargy; but they must soon awake. Mr. Pitt has long had with him in the country, our project of a treaty, and it cannot be long before he comes to some determination, they have had, lately evidence enough of the utility to them of the public hope of a commercial agreement with America; holding up the idea of a treaty has rapidly raised the stocks, but I cannot entertain any sanguine hopes, for all experience, all evidence, seem to be lost upon this nation and its rulers. According to most appearances, a nation so entirely given up to the government of its passions, must precipitate itself into calamities greater than it has yet felt; I still

think, however, that a decided opinion concerning the system it will pursue, cannot be formed before the opening of the next budget.

With great esteem, &c.

JOHN ADAMS.



FROM JOHN ADAMS TO JOHN JAY.

Grosvenor Square, October 17, 1785.

Dear Sir,

It has been the general sense of our country since the peace, that it was their duty and their interest to be impartial between the powers of Europe, and observe a neutrality in their wars. This principle is a wise one, upon the supposition that those powers will be impartial to us, and permit us to remain at peace. But it is natural for England and France to be jealous of our neutrality, and apprehensive that notwithstanding our professions, we may be induced to connect ourselves with one against the other. While such uncertainties and suspicions continue we may find that each of these rival kingdoms will be disposed to stint our growth and diminish our power, from a fear that it will be employed against itself and in favor of its enemy. If France could be sure of our perpetual alliance, it is to be supposed she would favor our increase, in every thing which could be reconciled to her own interest. If England could obtain such an alliance with us, she for the same reason would favor our interests, in all cases, compatible with her own.

I need not point out to you, instances in proof of such a jealousy in France. Yet, it may not be amiss to refer you to some hints in Mr. Necker's late work.

Mr. Hartley, you will remember, dwelt much too often upon the subject of an alliance with England for us to doubt that, however incident the suggestion of such an idea was, he nevertheless entertained it. He has lately renewed this topic with me, and I gave him the only answer which can ever be given, viz: that the moral character of the United States was of more importance to them than any alliance; that they could not, in honor, hear such a proposal, but that, if honor and character were out of the question, while England held a province in America, we could not safely forfeit the confidence of France, nor commit ourselves to the consistency of England.

But to rise higher. When the King was pleased to say me that he would be foremost in favor and friendship to the United States, when he should see a disposition to give the preference to this country, he probably meant more than we can comply with. If a preference in commerce only had been meant, it was quite unnecessary to make it a future condition, because the ardor of our citizens in transferring almost the whole commerce of the country here, and voluntarily reviving that monopoly which they had long complained of as a grievance, in a few of the first months of the peace, imprudently demonstrated to all the world an immoderate preference of British commerce. It was impossible that we could give stronger proofs of a preference in this sense. If the royal expression then was a deliberate one, it must have intended something more, and something which the United States cannot agree to.

The British Ministry, therefore, have now before them a question as important to the British Empire, as any that ever was agitated in it, whether by evacuating the posts, and fulfilling the treaty of peace in other points, and by opening their ports in the West Indies, and on the continent of America as well as in Europe, to our ships and produce upon equal and fair terms, they shall insure the impartiality and neutrality of America; or whether, by a contrary conduct, they shall force them into closer connexions of alliance and commerce with France, Spain, and Holland. A treaty of defensive alliance with France would deserve a long and careful deliberation, and should comprehend the East and West Indies. I mean our right to trade in them, as well as many other considerations too numerous to hint at here. A new treaty of commerce might be made greatly beneficial to both countries. If we once see a necessity of giving preferences in trade, great things may be done. By the treaty between England and Portugal of 27th of December, 1703, Portugal promised to admit forever into Portugal the woollen cloths, and the rest of the woollen manufactures of the Britons, as was accustomed, till they were prohibited by the laws; nevertheless upon this condition, "II. That is to say, that Great Britain shall be obliged forever hereafter to admit the wines of the growth of Portugal into Britain, so that at no time, whether there shall be peace or war, between the kingdoms of Britain and France, any thing more shall be demanded for these wines by the name of custom or duty, or, by whatsoever title, directly or indirectly, whether they shall be imported into Great Britain in pipes or hogsheads, or other casks than what shall be

demanded, from the quantity or measure of French wine, deducting or abating the third part of the custom or duty. But if, at any time this deduction or abatement of customs, shall, in any manner be prejudiced it shall be just and lawful for his sacred Royal Majesty of Portugal, again to prohibit the woollen cloths and the rest of the British woollen manufactures."

This treaty which the Irish call the Methuen treaty, from the name of the Ambassador who signed it, and which they now claim the benefit of as Britons, although the Portuguese deny them to be Britons, and accordingly refuse their woollens, has had a vast effect both in Portugal and England. The consequence, has been, that Portugal has now for more than four score years clothed herself in British woollens like an English colony, and has never been able to introduce woollen manufactures at home, and the British Islands have drank no other wine than Port, Lisbon, and Madeira, although the wines of France are so much better.

The United States may draw many useful lessons from this example. If, from the blind passions and rash councils of the Britons, they should be compelled to deviate from their favorite principle of impartiality and neutrality, they might make a new commercial treaty with France, for a term or forever, exempting all the manufactures of France from one third or one half, or all the duties which shall be stipulated to be laid upon the English manufactures. In this case, what becomes of the manufactures of Britain? What of their commerce, revenue and naval power? They must decline and those of her rival must rise.

I hint only at these things. They open a wide field

of inquiry, and require all the thoughts of the people. We should stipulate for the admission of all our produce, and should agree upon a tariff of duties on both sides. We should insist upon entire liberty of trade and navigation, both in the East and West Indies, and in Africa, and upon the admission of our oil and fish, as well as tobacco, flour, rice, indigo, pot ash, &c. &c.

This country boasts of her friends and partisans in this and the other assemblies, particularly in New York and Virginia, and are confident we can do nothing, neither exclude their ships from our exports nor lay on duties upon their imports into our States, neither raise a revenue, nor build a fleet. If their expectations are not disappointed, we shall be, and that in a few months, not only a despised but a despicable people, with the power in our own hands of doing as we please, we shall do nothing; with the means of making ourselves respected by the wise, we shall become the scorn of fools.

I am under embarrassments in treating with the Ministers here, to know how far it is prudent in me to go, in urging upon them, what the United States may do, or not do with France. There would be danger of my committing Congress imprudently; but in conversation with friends arguments may be casually, and by way of speculation only, put into their mouths, which they will not fail to use where they may or ought to have weight; yet it is still uncertain whether any thing can have weight. The Ministry behave as if they saw certain ruin coming upon the nation and thought it of no importance in what shape it should appear.

With great respect, &c.

JOHN ADAMS.

FROM JOHN ADAMS TO JOHN JAY.

Grosvenor Square, October 21, 1785.

Dear Sir,

Yesterday, at eleven o'clock, I went by appointment to Lord Carmarthen's office, and was admitted to his Lordship as soon as he arrived from his house. As this was an hour earlier than the usual appearance of the Foreign Ministers at the Secretary of State's levee, I had time for a long conversation with his Lordship.

At first I presented him a memorial, containing a requisition of immediate orders, for the discharge of our citizens, particularly of Low. Secondly, the correspondence between Governor Bowdoin and Captain Stanhope, with the act of Congress upon it; and thirdly, a letter concerning the questions some time ago communicated to your ministers at Paris, relative to their full powers, by the Duke of Dorset. These papers were left with his Lordship for his perusal, at his leisure, but I conjecture he laid them before the King, in a conference after the drawing room. After the communication of those papers, I had the honor to observe to his Lordship, that although they contained matters of some importance, I most sincerely wished there were nothing of greater difficulty and more danger between the two countries. His Lordship wished so too. I added that as it was wished on both sides, it was remarkable that the business was not done, as it seemed to be very easy to do; that it was much to be lamented, when the war was ended, and every thing essential which had been in contest was decided; that such circumstances as remained should impede the return of confidence between the two nations.

I paused here, in hopes his Lordship would have made some reflection, or dropped some hint from whence I could have drawn some conclusion, excited some hope, or started some fresh topic, but not a word escaped him. After a long silence, I told him that I hoped for an answer from his Lordship concerning the posts upon the frontiers; not a word of reply. I said I was extremely uneasy concerning those posts; that, by the last accounts from America, there seemed to be danger of our being involved in an Indian war, merely from the circumstance of their being withheld; that his Lordship could not be unacquainted with the cruelty and barbarity, with which those savages made war upon people the most innocent, peaceable, and defenceless; that an Indian war, by filling the gazettes and conversation with relations of horrors, naturally spread a greater alarm, and excited keener passions than other wars which might be much more destructive and impoverishing; that if such a war should happen in consequence of withholding the posts, it would enkindle a flame in America which might spread wider and last longer than any man could foresee; that I sincerely hoped the King's Ministers would think seriously of it and give orders for the evacuation; that I must insist on an answer. Here his Lordship, in broken sentences, expressed a wish that the ministry would answer every body, and conveyed a hint that it did not depend upon him. I proceeded upon this to say, that in a conference with Mr. Pitt, when I pressed him for an answer concerning the posts, although he was not explicit with me, I understood him to insinuate to me, that the surrender of the posts would be made conditional upon something respecting the debts. Here I got some-

thing out. His Lordship said: "To be sure, nothing could be done until the debts were paid." Paid! my Lord! that is more than ever was stipulated. No government ever undertook to pay the private debts of its subjects; and in this case, nobody ever had such a thought. The treaty only stipulated that creditors should meet with no lawful impediment to the recovery of their debts. But, says his Lordship, if lawful impediments have been thrown in the way; and this was all he could or would let out. I understood him to mean that government, by putting an impediment in the way, had made itself answerable for the debts themselves. This was the first suggestion to me, of such a thought; but it was so fully communicated that I should not be surprised if a requisition should be made to that effect. I proceeded, with his Lordship, that the people in America saw the treaty violated in two important points relative to striking objects. The negroes were carried off and the posts were withheld. The last looked like a continuance of war. It was continuing a foreign army in their territory. These were the first breaches of treaty; and without them, I did believe that the debtors would not have had influence enough in any assembly to have procured an act or vote to impede the course of law; and if the posts were now evacuated, and the negroes paid for, I did not believe the impediment would be continued longer than to the meeting of the assemblies. But if the removal of these impediments should be made a condition, precedent to the evacuation of the posts and payment for the negroes, I very much apprehended it would not be done. As the English had been first in the wrong, it was natural and reasonable to expect that they should be first to get right.

Finding it impossible to learn any thing from his Lordship of his own sentiments or those of his colleagues, upon these points, after a pause of some time I proceeded to some others, and said,

Your Lordship alone was present when the King was pleased to say to me, that when he should see a disposition in the United States to give this country the preference he would be foremost in friendship to them. Yes, I was, said his Lordship. What greater preference, my Lord, can be expected or reasonably desired, than has been given? It is not possible for one country to give another stronger proofs than America has given this, of a commercial preference. They have with an imprudent ardor discovered, too early, and too immoderate a predilection to the commerce of this country, by voluntarily reviving at the peace, almost the very monopoly which had been established before the war, by the acts of Parliament. Can any other preference than a commercial one, be thought of? No answer. Is it not receiving this disposition too coldly, my Lord, to meet it with obstructions to so many of our remittances? Is there not danger that the conduct of this country will change that disposition? Is it not easily changed? Does it not consist chiefly in mode and taste, setting aside what there is remaining of good will, between the people, and if credit is the lure, is it not easily counteracted? We have been used to buy Russian and Dutch hemp in London, say we paid ten per cent. more than it would have cost us in Petersburg, and that the advantage of having it upon credit was worth to the American merchant twenty per cent. By laying on a duty of ten per cent. on these articles imported from

London more than when imported directly from Russia, would not the advantage of credit be wholly counteracted? By laying on fifteen per cent. more, would there not be an end forever to American importations of these articles by the way of London? Silesia linens are another article, which we bought in London. May not this commerce be diverted entirely to Stetin and Embden, by a similar duty? May not all sorts of manufactures in iron, be bought in Germany, and all other manufactures in cotton, linen, metals, silk, velvet, wool, be in the same manner diverted from this to other countries in Europe only by thus laying a bounty on the importation of them into America, to be paid by those who choose to purchase in England?

It was become fashionable here for gentlemen to speak diminutively of American trade, even among some who had magnified it while in opposition to Lord North. These could not certainly be sincere; but be the value of it what it may, can it be good policy in this country to divert it from herself and send it to her rivals? For example, could it be wise in the English to throw their own Newfoundland fishery into the hands of the French, merely to prevent Americans from supplying it with provisions and necessaries in their own bottoms? I was very much afraid the ministry had not yet duly considered upon what a delicate circumstance their fishery depended, how easily it might be lost, and how hardly recovered; though the fishery was very beneficial to the public as a nursery of seamen, and a source of wealth as it stood connected with various other branches of business, yet to the generality of individuals, it was not very profitable. With their utmost art, industry, and

economy, they could but barely live. The Jamaica fish, as some call it, or the West India fish, as others named it, was one-third part of the whole, and the preservation and sale of it was essential to the life of the fishery. Unfit for the European market, it had never found any other consumers than the negroes, and the English depended upon selling theirs to the French in their West India Islands. They have been able to undersell the French in their own islands. Why? Because their fishery at Newfoundland being supplied from the United States at a cheaper rate than the French could be from Europe, they could afford to sell their fish cheaper; but now the tables were turned, the French are supplied from the United States, and the English must be from Europe; the consequence of which must be, that the French will very soon be able to supply their own islands cheaper than the English can, and, when this happens, it will be very natural for them to prohibit all foreign fish, American as well as English. I left his Lordship to judge if this was a probable means of increasing British seamen and navigation, and whether it was not probable that if the Americans saw the English, like rash gamblers, playing away their own fisheries, into foreign hands, would not look out for themselves, and purchase of the French the admission of their fish into the islands, by stipulating some equivalent for it. Here his Lordship said he wished the council could be brought to take into consideration the relative situation of the two countries and their commerce. I was in hopes he would have said more, and waited long to hear, but as it appeared he did not intend to be more particular, I said, it was surely necessary that something should be thought

of and done. With regard to the West India trade, it would be well to consider whether the United States, if they found themselves excluded from the English islands, would not think it necessary to purchase a free admission of their flour and ships as well as fish and other things, to perpetuity, by stipulating with the French Court some perpetual advantage, in some particulars over the English commerce. Hitherto it had been the policy of the States to be impartial, but if they were once driven from this principle, I left his Lordship to judge how far they might go and ought to go. I asked his Lordship whether it would not be just and wise in France to stipulate with us a perpetual admission of our oil, to illuminate their cities, of our pot ash, duty free, of our tobacco, upon easier duties and better terms; in short, of all the produce of our country, upon better conditions, of our flour, fish and ships into their islands, and of our ready built ships for sale, into all her dominions, if Congress would stipulate with them a perpetual preference of French ships and manufactures, over the English in America. If we would stipulate to lay on duties one-third or one-half heavier upon English than French navigation and merchandize, might we not make a profitable bargain? might we not do the same with any and every other trading nation in Europe; necessity would force us to carry our trade where we could find a market for our produce; and if England would not receive it upon living terms, we must carry it to Germany or the Baltic, to Holland or the Mediterranean, to Portugal or France, to Spain, or even to the East Indies. All this was very patiently and civilly heard, but not a word of answer. I then asked, what could be the rea-

son that the commerce between the United States and the remaining British colonies, Canada and Nova Scotia, should not be encouraged; it had been found mutually beneficial heretofore, and our share of the profit of it had been a source of remittance to England, and would be again. Those colonies, especially Nova Scotia, would find it difficult to subsist without it for a long time. Finding, however, that his Lordship was determined to deliver no opinions, nor give the smallest hint from whence any conclusions or conjectures could be formed, I asked him for his advice, whether it would answer any good end for me to wait on any other of the Ministers, as my Lord Cambden and the Duke of Richmond, for example, and enter into more particular conversation with them upon these subjects? His Lordship said Lord Cambden was gone into the country, and the Duke of Richmond to the distant sea ports, and would not be here for many weeks; but Mr. Pitt was here. I replied, that I had found Mr. Pitt, in the conversations I had with him, candid and intelligent, and that for any thing I knew, the affairs of the nation could not be in better hands; but he was in a critical situation, and if a foundation should be laid of a final alienation between England and America, it would be a deeper stain, a blacker blot upon his administration, than the independence of the United States had been upon that of Lord North.

It is not worth your while nor mine to endeavor to recollect more particularly this useless conversation, in which the reciprocity, as Lord North said on another occasion, was all on one side. I did not think it prudent to urge to his Lordship the possibility of any other new connexion between the United States and other European

nations than commercial ones, the possibility and the probability of a more permanent, indeed of a perpetual defensive alliance between France, Spain, Holland and the United States, with even Ireland soliciting to be the fifth power, is so obvious to common sense, that one would think it could not escape the contemplations of the ministry.

There are persons in this kingdom sufficiently insane to say, that they will bring America to petition to come again under the government of this country; they will distress them till they break their faith with France, and then they say "we will spurn them." If the King and ministry entertain such thoughts, they are weaker than I ever thought them, and wickedder than any body ever represented them. But although insidious policy is not a novelty in this country, I do not believe them capable of such an excess of it at this time.

The true secret I conceive to be a real ignorance and indecision what to do. They have discovered by their Newfoundland bill and Irish propositions, a desire to preserve the principle of the navigation act, against the United States. Both these experiments have been unfortunate. The first produced the Massachusetts and New Hampshire navigation acts, and the last procured a defeat in the Parliament of Ireland. They are now confounded, and know not whether to persevere or to retreat, and I am convinced they have agreed together to observe a total silence with me until they shall come to a resolution. This reserve they maintain to all others as well as to me, lest any hints might escape them by which the various parties who are led by Shelburne, Buckingham, North and Fox, should know how to begin the foundation of their oppositions.

They are really embarrassed, for, whatever treaty they make with us, must be submitted to Parliament, either before it is signed, or it must be made and signed expressly subject to the approbation or disapprobation of Parliament, and they are at a loss to guess what they can carry through Parliament, knowing the talents of the opposition, and the force of national prejudice and passion in favor of the navigation laws. They are afraid to attempt what they know they ought to do.

This being the state of things, you may depend upon it the commerce of America will have no relief, at present, nor in my opinion, ever, until the United States shall have generally passed navigation acts. If this measure is not adopted, we shall be derided, and the more we suffer, the more will our calamities be laughed at. My most earnest exhortations to the States then are and ought to be to lose no time in passing such acts, they will raise our reputation all over the world, and will avail us in treating with France and Holland, as well as England; for, when these nations once see us in the right way, united in such measures, they will estimate more highly our commerce, our credit, and our alliances. The question has been asked in France as often as in England, what have you to give in exchange for this and that, particularly, it was a constant question of the Marechal de Castries, what have you to give as a reciprocity for the benefit of going to our islands? When we have once made a navigation act, or shewn that we can unite in making one, we may answer, we can repeal our act or our imposts in return for your repealing yours.

With regard to this country, I confess to you I never should have believed, nor could have imagined the real

situation of it, if I had not been here, and resided here some time. I never could have conceived such an union of all parliamentary factions against us, which is a demonstration of the unpopularity of our cause. If the States do not make haste to confine their exports to their own ships, and lay on duties upon British merchandize, which shall give a decided advantage to our own manufactures, and those of Germany, France and other nations, it will be to no purpose to continue a Minister here, and I am sure I shall wish myself any where else rather than here. These are remedies which Congress and the States can apply; I should hope they will not proceed farther at present, but if these are found insufficient, I hope they will think of proceeding farther in commercial treaties with other nations, and reserve the resource of further alliances as a last resort.

The draughts already made, and the negotiations in Barbary, will exhaust your little fund in Amsterdam, and before next March all your servants in Europe must return home for want of means even of subsistence unless something is done; our countrymen should not expect that miracles will be wrought for their relief, if their affairs are not conducted with wisdom and activity they will reap, most certainly, the fruits of folly and supineness.

Before I conclude I will mention one more extravagance that I know is lurking in some hearts here. They would willingly embarrass Mr. Pitt in any rational plan of agreement with me, and cheerfully precipitate him into war with the United States if they could, well knowing that it would be his ruin. They think, and I can add, they say, "that Canada and Nova Scotia must

soon be ours. There must be a war for it. They know how it will end, but the sooner the better. This done, we shall be forever at peace; till then, never." But these people do not consider that this will involve us in unchangeable connexions with France, and prove the final ruin of this country.

The stocks have lately risen to sixty-five and sixty-six. Whether this is owing to ministerial tricks, or the real affluence of money, it will raise the fund of pride and vanity in the nation in a much greater proportion, and make it more difficult for the Minister to do what even he may think right with America. I must conclude by repeating that my only hopes are in the virtue, resolution and unanimity of my fellow-citizens.

With great respect, &c.

JOHN ADAMS.



FROM JOHN ADAMS TO JOHN JAY.

Grosvenor Square, Westminster, October 25, 1785.

Dear Sir,

The crown of great Britain has sometimes pledged its prerogative to relax the navigation act, but the Parliament and nation would not admit of it. By the fifteenth article of the definitive treaty between Great Britain and Portugal, signed at Lisbon the 16th May, 1703, "The personal privileges and *freedom of trade* which the subjects of Great Britain and the States of the United Provinces, at present enjoy in Portugal, the Portuguese shall, in their turn, enjoy in the dominions of Great Britain and the States of the United

Provinces." This you see was a stipulation directly against the navigation act. But although the prerogative of the crown in foreign negotiations is acknowledged to be sovereign, yet the English contend that it is not sufficient to set aside an act of Parliament, and, therefore, this article has never been complied with, and the Portuguese complain of it to this day as a breach of faith.

Sensible of this difficulty, the minister, I presume, will not venture upon any treaty with us, without either previously taking the sense of Parliament, or making the treaty subject to its subsequent approbation; either of which measures will open a boundless field of argument and obloquy. You will not wonder that he dreads it. He cannot, however, avoid it. The American intercourse act expires on the 5th of April, 1786, and the Newfoundland act expires on the 25th of March, 1786; and the bare revisal of these statutes will necessarily bring on a discussion.

The Newfoundland act is considered here, by some, as a mere machine to try an experiment; to feel the pulse of the house, and to discover what sentiments were entertained, and what principles would be declared by the various branches of opposition; and it is curious to observe the presence of mind of the leaders, and the art with which they evaded the snare. They showed plainly that they were determined not to be out-generated by so young an officer.

On the 2nd of February, 1785, Mr. Pitt moved in a committee of the whole house, that leave be given to bring in a bill for confining, for a time to be limited, the trade between the ports of the United States of America,

and his Majesty's subjects in the island of Newfoundland, to bread, flour and live stock, to be imported in none but British built ships, actually belonging to British subjects.

Mr. Eden, one of the coalition men, seems not to have been aware of the design, and declared, at once, sentiments which probably Mr. Pitt wished the whole opposition to avow. He wished "that trade might not suffer by the several restrictions intended by this measure. Confining that whole trade to British bottoms would narrow it much more than most people would imagine. It would divert it into other channels, and ultimately annihilate our colonies in that part of the world. He had always found, that to encourage commerce, you must treat it with liberality. The proposed bill threatened a very different effect; and, therefore, he had thrown out these hints before the business had assumed any shape more formal, in order that those concerned in the construction of the bill might be on their guard."

Mr. Jenkinson, whose opinion probably had influenced Mr. Pitt to move for so illiberal a bill, was apprehensive that our navy would ultimately suffer, unless every possible attention were paid to the protection, extension and encouragement of our shipping. This appeared to him an object of infinite consequence, and demanded the consideration and sanction of the legislature; he should, therefore, insist that in the framing of this bill, the greatest care should be taken, that all our commerce in that quarter should be carried on in British bottoms only.

On the 4th of February, Mr. Eden was for moving to discharge the order for bringing in the bill; Mr. Jenkinson complained that he had been misrepresented, that he meant to say that there was not, and never had

been, any law to prevent ships coming from the British colonies to trade in any part of the globe, the East Indies only excepted by the charter of the company.

Mr. Baring said, it was at his instigation that the "privy council had been induced to introduce it into Parliament; Newfoundland had suffered severely last year by the want of provisions, because the Governor doubted whether he could suffer the direct importation of necessaries from America even in British bottoms. That the settlement would continue to suffer many hardships, if Parliament should determine that they must receive their supplies from Britain only.

On the 7th of February the bill was presented, Mr. Eden seems by this time to have been put upon his guard, he makes a long and confused declaration, seems very anxious, but gives no opinion clearly upon any principle; yet one may trace, I think, several; one is, that his chief claim was for Canada and Nova Scotia, the ships built or owned in these colonies, being struck at and excluded by the bill, as much as those of the United States. 2. He seems averse to the permission, even of bread, flour and live stock, to be imported into Newfoundland from the United States, at all. 3. He thinks this bill will be a precedent for the future introduction of other bills, relative to Canada, Nova Scotia and the West India Islands, and for excluding all their ships from certain privileges now enjoyed by them in virtue of the navigation acts, and for the importation into them of some articles of the produce of the United States. 4. He thinks it imprudent to agitate the measure at this time, because there were five treaties of commerce pending, one with America, another with

France, a third with Spain, a fourth with Holland, and a fifth with Ireland. He thinks a treaty the best method; and had even rather that the privy council should regulate the trade by proclamation, than parliament by bill; this is the most sensible observation in the whole debate, and it will be curious to see how they will get over it. An examination of witnesses at the bar, and a debate in the house upon a bill or a treaty regulating the commerce between Great Britain and the United States, would lay open all their mysteries to all their rivals; all the nations of Europe, and especially those they dread most, as well as the citizens of the United States, and the inhabitants of the British colonies both on the continent and in the West Indies, would profit of the information so much that I suspect that all parties will be of Mr. Eden's mind, and authorize the King to treat, or to legislate as he has done by proclamation. The Irish are now extremely ignorant of America, and although they have a desire to trade with us they know not how to set about it, such a debate would enlighten them. The inhabitants of Canada and Nova Scotia have now no idea of the intentions of this country towards them. In fact, there is nearly as much jealousy of them, of their ships, seamen, fisheries, oil, rum, population, riches, power, as there is of ours, much of this would appear in such a debate, and it would disgust and alienate those colonies, and excite in them a desire of independence, and an admission into the American confederation. The French, Dutch, Germans, all Europe in short, are as yet ignorant of the nature of our commerce, and the means of making it profitable to themselves, as the debates in Parliament are published in all the foreign Gazettes,

much light would spread through Europe, in consequence of a parliamentary discussion so that I doubt whether Mr. Pitt will bring in any bill in detail, or lay before Parliament any treaty, unless he can be assured it will be approved without a discussion. If he does any thing more than revive the intercourse act, he will bring in a bill to authorize the crown to make a treaty. Yet this has its difficulty, for the crown claims to be absolute in all treaties, without an act of Parliament. I wish with all my soul, there may be an ample parliamentary inquiry and debate, because it would operate much to the honor and benefit of the United States through the world; but I suspect they will be too cunning to venture upon it.

Mr. Eden moved to discharge the order of 2d February, for bringing in the bill.

Mr. Jenkinson defended the title of the bill, and made a long speech, in which there is nothing worth remarking excepting that *Canada and Nova Scotia, instead of wanting the same articles as Newfoundland, i. e. bread, flour, and live stock, were rivals of the American States in the exportation of them.* This was so gross that it shocked even Lord North. All the rest of Mr. Jenkinson's speech seemed to be merely calculated to sound the principles of opposition.

Lord North seconded Eden's motion, but, more experienced and cunning than the other, he determines that nothing shall be drawn out of him, but mischief. He should now confine himself to the title. When the bill came he would *more maturely reflect on the subject and give his opinion accordingly.* The bill was merely preparatory to many more. It would be neces-

sary to have one, if this passed, for Canada, another for the West Indies, Nova Scotia, Quebec, &c. his Lordship would not even affirm or deny, what, Mr. Jenkinson had thrown out, viz: that Canada and Nova Scotia were rivals of the American States, but lumber was the principal article they exported, and what need had Newfoundland, of lumber? And would not the expression his Majesty's European dominions, alarm Ireland, our great neighbor and jealous sister? This was a tender string. The Irish Parliament might think they had a right to be consulted. They might consider the bill as a law made by the Parliament of Great Britain, for the regulation of the trade of Ireland, notwithstanding the declaration that she has no power.

Lord North's aim, in short, was very plain, to excite as many parties and questions as possible, and reserve to himself a full liberty to join any party and take any side, which should afterwards appear to be against the Minister.

Mr. Pitt is evidently disappointed. He had missed his aim. He had drawn out no declarations, principles or opinions. He quarrels with Lord North, for attempting to stir up rebellion in Ireland; and with Eden, for not discussing the navigation act, and shewing how it applied to the bill.

Mr. Pitt was as reserved as Lord North; and even Lord North afterwards, that he might be completely equivocal, retracts what he had said about Ireland, and denies that he had objected to the words, his Majesty's European dominions.

On the 8th of February, Mr. Fox thought the bill affected, in a very particular manner, the commercial

regulations of this country. He did not perfectly understand whether it was to be a restraining or an opening bill. The alteration agitated was, perhaps, one of the most important ever proposed in Parliament. Some gentlemen apprehend it went too far, while others are of opinion that it was too circumscribed, and ought to proceed to a greater extent. It ought not to be hurried. To accommodate every description would, he presumed, be the aim of those who countenanced such a proposition, &c. This last was a very just observation, for the bill is manifestly calculated to do a little to please all parties; but not enough for any one to satisfy it; it was contrived so on purpose to draw out the principles and arguments of all sides, but the cunning of the parliamentary leaders defeated its effect.

Watson, the Alderman, said the merchants were exceedingly anxious to know, whether or not they were to send out provisions and other articles to Newfoundland from Britain. On the other hand, it was verily an important question, whether the provisions of the bill were conformable to the navigation act or not.

On February 9th, Watson moved for the examination of the witnesses, but it was postponed.

On the 14th February, Mr. Pitt opposes the examination of witnesses as unnecessary, highly imprudent, and improper.

Watson wanted witnesses to prove the inefficacy and inexpediency of the bill. It was sending a trade where it was unmerited (i. e. as I suppose to the United States) and taking it out of those hands, in which it would be serviceable to the country, (i. e. as I suppose out of the hands of the inhabitants of Canada and

Nova Scotia,) the bill was unnecessary. Quebec could supply Newfoundland—if not, England could; and the trade of Great Britain and her colonies should not be delivered over to a foreign power. That the average prices of bread and flour in Great Britain, had been considerably cheaper than at Philadelphia, or any other part of the United States of America, for a stated number of years.

Mr. Cruger gave Watson a direct contradiction. If no other sources of supply were open to Newfoundland, than Quebec, they must starve. He reproaches Watson with interested views, and aiming at a monopoly. That Quebec was supplied last year from Philadelphia. Bristol and other ports in England had supplied Quebec in time of war.

Lord North observed, as there appeared two assertions in contradiction, one averring that Quebec was equal to the business of supplying Newfoundland, the other precisely the contrary; it was necessary to proceed to a more minute investigation, and to an examination of witnesses.

Mr. Hollsworth said, the bill was a kind of compromise between the merchants of London, Poole, and Dartmouth, and the merchants of Canada. Mr. Fox denied it to be a compromise; because one party was satisfied and the other discontented. He was for a hearing at the bar, and hoped Admiral Campbell's evidence would have weight.

Mr. Jenkinson avowed that the evidence before the privy council had been flatly contradictory, and that the bill was merely an experiment, to pass a temporary measure to quiet the minds of all concerned for seven months,

leaving the subject open for subsequent and more serious deliberation. That Canada had one year, ten years ago, exported vast quantities of flour, but from that time had been obliged to send to Philadelphia to buy provisions. That in fact Québec was not a flour country.

Mr. Pitt presumed that an unlimited intercourse between the United States and *America*, was not prohibited by any known statute. If no bill passed, a much larger field of competition would remain open, which would operate in a greater degree to the prejudice of the merchants of London, Poole and Dartmouth, and those of Canada. It is worth while to remark here an awkward endeavor to give the name of *America* to Canada and Nova Scotia. We may hear more of this hereafter.

Eden wanted to prove that Quebec was this year able to supply the fisheries at half the price paid last year. If Quebec was not to be a flour country, her prospect was melancholy indeed ; for the disgraceful destruction of all her hopes of the fur trade, by the provisional articles, had left her without any other resource.

He contended that there was not, at present, any trade legally subsisting between the United States and the *colonies*. He had many objections : 1st. The scarcity would be increased by the uncertainty. 2nd. The freights of the British merchant would be lessened, and the price of his fish must be raised. 3rd. Facilities would be given to smuggling. 4th. It was quitting the old policy and encouraging a resident inhabitancy of Newfoundland. 5th. He was unwilling to introduce systems by act of Parliament contrary to that monopolizing system, which, however described by theoretical writers, must be considered as the rock of salvation to

this country, under the pressure of all her debts and taxes.

Lord North said it was always the admitted system of colonial policy, that the mother country should, as far as possible, monopolize the supplying of her colonies, that whenever a necessity arose of deviating from this principle, the *onus probandi* lay on those who alleged such necessity to subsist.

Mr. J. Luttrell said, that monopolies had always been prejudicial to Newfoundland; it was requisite that every source of supply should be opened.

Watson said (falsely however) that France had done the direct contrary to that which the bill proposed, in respect to her West India Islands, that the bill would be the means of bringing rum to Newfoundland distilled from French molasses, and that it would be impossible to prevent its being smuggled; that unless the English had a market for their rum, the estates in the West Indies could not be worked. Here, I presume, one principal secret comes out, the principal motive of the bill was to exclude New England rum from Newfoundland; this rum, distilled in the United States, out of French molasses, is considered as benefitting two rivals at once, and, therefore, we do not see any man of any party in this debate, even hinting any thing in favor of it.

Mr. Beaufoy, who is supposed to be in the confidence of Mr. Pitt, closes this debate in a long speech, which contains more argument and more knowledge of the subject than all the rest. His first argument is, that the bill, upon Watson's own ground, is peculiarly formed to defend the interests of the West India Islands and pro-

tect their commerce, because it narrows and circumscribes the intercourse, between the United States and Newfoundland. He does not speak out like Watson, but he means that New England rum is excluded by the bill. His next argument is, that the bill is expedient, because the intercourse without it would be unlimited, as the custom house officers at Newfoundland had then no right to demand a manifest or certificate from a vessel arriving from a foreign port, and the United States were, by proclamation and treaties, known to be foreign ports, British treaties being laws of the land.

He next examines Watson's maxim, that all intercourse between the United States and Newfoundland should be strictly prohibited, lest it should be the means of introducing the rum of New England as a rival of West India rum, and he shews that the loss to the islands can be but trifling, compared with the loss to the fisherman, if the intercourse should be prohibited.

He asserts that the fisherman can have no resource in Nova Scotia, which does not produce a sufficiency of food for its own people, but depends for supply on the United States. Canada, for some years, can be no resource; besides that, the gulph of St. Lawrence in winter and spring, when the wants of Newfoundland are greatest, is bound up in frost. The occupation of fishermen is of little benefit to themselves, but of infinite advantage to their country; miserable at the best of times is the subsistence they obtain, but valuable, indeed, are the returns they make to the kingdom, not less than half a million a year, though this forms but a small part of their importance; for, next to the coasting trade, theirs is the greatest nursery for seamen, hundreds of new men are sent out to this school every year.

Allow your fishermen, says he; the right of purchasing their corn at a fair market, instead of that of a monopolist, and you will find that as far as foreign markets are concerned, they will soon be established on the *ruins* of every other. The French have never more than supplied the consumption of their own market. (He should have known that they have never done this, they have never supplied their own West Indies, and that, whenever, by British folly, they shall be enabled to do it they will easily establish their fishery on the *ruins* of that of Great Britain.) The Americans, excluded from the West Indies, find their fisheries rapidly declining, having no other considerable market for their damaged fish. They must advance the price of their best fish, so far that they cannot long contest with us the possession of the Spanish or Italian or any other foreign market. The American fishermen are seeking a refuge from poverty in the dominions of Britain. But if we consign our fisheries to the avarice of the monopolist, they will fly from distress to other employments or other employers.

I have attempted this hasty abridgment of the debate, because it deserves the critical attention of every man in America. The United States may learn from it, their own duty. The cunning both of Administration and opposition restrained them from opening fairly their opinions. But thus much appears too plainly, viz: that no man of any party had the courage to declare himself for an open, free and unlimited trade, between the United States and any of the British dominions in America. Mr. Pitt, and indeed, the administration at the head of which he is, declare themselves against a total prohibi-

tion of intercourse; but they have discovered by this bill, an inclination to confine it to so few articles, and to exclude so many others, that the United States can never consent to the plan, but must prohibit in their turn the few articles, and the narrow intercourse permitted by the English.

In short, Sir, every article, which can support a shipwright, a ship, a seamen, a whaleman, a codfisherman, a rum distillery, or a sugar house, appears to be struck out with the malice of murderers and a settled plan to dupe us out of all our carrying trade, the carriage of our own produce as well as theirs appears to have been decidedly adopted by the present ministry, and no party, no man, has yet dared to declare himself of another opinion.

If the United States submit to it, they will deserve to be the contempt of the world, and of posterity. The Massachusetts and New Hampshire have done themselves great honor all over Europe, by the proofs they have given of their feelings and intelligence, and I hope they will persevere in their acts, even although they should stand alone, and be supported by similar acts in no other State. This, however, is in Europe universally supposed to be impossible, it is universally expected that most of the other States will do the same, immediately, and all of them ere long.

I know not, Sir, what Mr. Temple may have authority to say to Congress, but I hope they will not be lulled by any general expressions of good will. I know, Sir, that there is an absolute impossibility of our obtaining a reasonable relief to our commerce from this country. There

is no other question left for us to determine than this: Will you see all your shipping, seamen, and commerce taken from you, and become a nation of mere husbandmen, fleeced almost at pleasure by rapacious foreign factors, or will you be your own carriers? Threats, prophecies, reasopings, with whatever delicacy or skill they might be urged, even although yourself, Sir, were here to enforce them, would have little effect. The deed must be done, you must prohibit and exclude in your turn, and confine your exports to your own ships, or at least exclude the ships of Great Britain. When they actually see six or seven hundred of their own ships thrown out of their employ, they will begin to consider how their navigation is affected. Nobody doubts the ability of every State from Maryland, inclusively northward, to furnish ships for its own exports, and if the States to the southward of Chesapeake cannot procure ships immediately, the other States will soon be able to furnish them. Nothing will ever be done here until this measure is adopted by the United States. If the Ministry, in the next winter session, should bring in a bill upon such a plan as America desires, they would not be able to carry it through Parliament. . . Why? because the national prejudice in favor of their navigation acts is so strong, and the necessity of relaxing it does not appear; on the contrary, they think it certain there is no necessity, because we cannot unite in laws and measures which would make one.

By the best judgment I can form, the posts upon the frontiers will never be evacuated, nor the Maryland stock recovered, nor the Rhode Island demand satisfied, nor

the negroes paid for, while there remains in force a vote of any assembly, suspending process for the recovery of British debts.

With great and sincere esteem, &c.

JOHN ADAMS.

P. S. Enclosed are the American Intercourse Act, and the Newfoundland and American Trade Act.



FROM JOHN ADAMS TO JOHN JAY.

Grosvenor Square, Westminster, October 27, 1785.

Dear Sir,

Yesterday at the levee at St. James, the Marquis of Carmarthen came to me and told me that he should deliver those papers I had communicated to him relative to the correspondence between Governor Bowdoin and captain Stanhope, to Lord Howe, in whose department it was to consider such things. His Lordship added, that he thought some of the letters extremely improper in a captain of a man of war to a Governor; and that he had carefully examined the letters of the Governor to see if there was any thing, which could have given occasion to them or excused them; but that he could find nothing. I suppose from this information, that the captain's letters will be disapproved at Court, as they are generally by men of sense, although some of John Bull's children, who cannot or will not distinguish between *ill nature* or *ill manners* and *spirit*, applaud them.

With great regard, I have the honor to be, &c.

JOHN ADAMS.

FROM JOHN JAY TO JOHN ADAMS.

New York, December 5, 1785.

Dear Sir,

I cannot omit this opportunity of transmitting to you a copy of an act of Congress respecting Mr. Temple. It appears to me to be a proper one. In my opinion, our public conduct should be just and liberal on the one hand, but firm and decided on the other.

I have the honor to be, &c.

JOHN JAY.



*Extract from the secret Journal of foreign affairs,
December, 22, 1785.*

The Secretary of the United States for the department of Foreign Affairs, to whom was referred his letter of the 24th November, to his Excellency the President, with Mr. J. Temple's commission, having reported,

That John Temple, Esquire, has presented to the United States in Congress assembled, a commission in due form, bearing date the 5th day of February last, from his Britannic Majesty, constituting and appointing him the Consul General of his said Majesty in these States. That there is as yet no commercial treaty or convention subsisting between his Britannic Majesty and the United States, whereby either have a perfect right to establish Consuls in the dominions of the other, but that amicable negotiations for that, and other reciprocal privileges are now depending. That although the issue of those negotiations is as yet uncertain, it will nevertheless be pro-

per for the United States, on this and every other occasion, to observe as great a degree of liberality as may consist with a due regard to their national honor and welfare; therefore

Resolved, That the said John Temple, Esquire, be and he is hereby received and recognized as Consul General of his Britannic Majesty, throughout the United States, and that his commission be registered in the Secretary's office.

Resolved, That all the privileges, pre-eminences and authority, which the law of nations and of the land, give to a Consul General received by the United States from any nation, with whom they have no commercial treaty or convention, are due to the said John Temple, and shall be enjoyed by him.

Ordered, That certified copies of the above resolutions be transmitted to the executives of the different States for their information.



FROM JOHN JAY TO JOHN ADAMS.

Office for Foreign Affairs,
January 2, 1786. }

Sir,

I have the honor of transmitting to you, herewith enclosed, a copy of a letter of the 21st December, from Mr. Temple to me, which I laid before Congress. They have been pleased to direct that you communicate it to his Britannic Majesty; that you inform him, that the complaint stated in it, being in general terms, and unsupported by any particular facts or evidence, they do not think it necessary or proper to take any

measures in consequence of it; and that you assure him, that, as it is their determination the treaty of peace shall be punctually observed by their citizens, and that his Majesty's subjects shall enjoy here all the rights, which friendly and civilized nations claim from each other; so they will always be ready to hear every complaint which may appear to be well founded, and to redress such of them, as on investigation shall prove to be so.

This communication will give you an opportunity of remarking, that the office of Consul General does not extend to matters of this kind, neither the rights of commerce nor of navigation being in question, and, therefore, that it was delicacy towards his Majesty, rather than a sense of the propriety of such an application from a Consul General, which induced Congress to treat it with this mark of attention.

It would, perhaps, be well to pursue the subject, to intimate the expediency as well as propriety of sending a Minister here, and if circumstances should so dictate, to accompany it with assurances that Congress expect a Minister, and are ready to receive and treat him in a manner consistent with the respect due to his Sovereign.

The advantage alluded to in one of your letters, if no other, would result from such an appointment, viz: That the British Court would then probably receive a more accurate representation of affairs in this country, than they are at present supplied with by men who write and speak more as their wishes and feelings, than as truth and knowledge dictate.

I have the honor to be, &c.

JOHN JAY.

P. S. Your letters of the following dates are received, viz: 15th, 17th, 21st, 25th and 27th October last.

*Report of Secretary Jay relative to the execution of
official duties in Great Britain.*

Office for Foreign Affairs, }
January 31, 1786. }

The Secretary of the United States for the Department of Foreign Affairs to whom was referred his letter of 28th December, 1785, enclosing Mr. Adam's of the 15th, 17th, 21st, 26th, and 27th October last, reports, That, in his opinion it should be

Resolved, That Congress approve of the manner in which Mr. Adams, appears from his several letters to have executed the duties of his Legation to the Court of Great Britain, and that they are greatly pleased with the diligence, attention and intelligence he has manifested therein.

Resolved, That ways and means should be seasonably devised for placing such further funds in Europe, as will probably be necessary as well for the support of the public servants there, as for supplying any deficiency in the sum appropriated, for the negotiations with the Barbary powers.

Ordered, That this resolution be referred to the treasury to report.

From the tenor and complexion of all Mr. Adams' letters it appears evident to your Secretary.

1st. That general and full powers to regulate the trade of the United States both foreign and domestic, should be vested in Congress.

2d. That the United States should be put in a very respectable posture of defence, by forming ample magazines of military stores and by having a considerable part of the militia always well prepared to take the field.

3d. That proper measures should be devised to cause a punctual compliance with and payment of the requisitions of Congress, and to prevent unconstitutional dismemberments of any of the States, which manifestly tending to weaken the force and impair the Union by creating domestic contention and affording objects for foreign manœuvres, are highly impolitic.

4th. That Mr. Jefferson should be directed to communicate to the Court of France the exact state of the United States with Great Britain, relative to the posts, to urge the guarantee of France, as a reason for their friendly interference, and to ascertain how far the United States may expect his most Christian Majesty's good offices and aid on that subject.

5th. That pursuant to the 8th article in the treaty with France, it would be proper to request his most Christian Majesty's good offices with the Barbary powers to promote the present negotiations with them.

Your Secretary is also induced to believe, as well from conversations with Mr. Gardoqui as from Mr. Carmichael's letter, that Spain would, if applied to, very sincerely endeavor to exert her influence with the Emperor of Morocco in favor of the United States. Wherefore, he thinks that application should be made to his Catholic Majesty for that purpose.

Your Secretary sees many good consequences that might result from communicating Mr. Adams' letters to the executives of the different States and accompanying them with a letter from Congress urging the necessity of ordering all the general concerns of the Union, by a stable, well digested system; and to that end of delegating such powers as may be adequate to the great objects of duly regulating the commerce, protecting the

Union and of drawing forth and directing its resources, both of wealth and power, as exigencies may require. Your Secretary nevertheless, has great doubts of the prudence of communicating Mr. Adams' letters, lest copies of them should return to England and place him there in a situation, neither agreeable to himself nor advantageous to the public.

Your Secretary has reason to believe that too much of their contents has already slipped out, he having been lately told by a person, who ought not to have had such information, that Mr. Adams had written that the situation of the British debts was made an objection to the evacuation of our posts. He is, however, of opinion, that a letter from Congress cautiously stating the general state of our affairs and strongly impressing the necessity of efficiency and vigor in the federal Government would be very expedient.

All which is submitted to the wisdom of Congress.

JOHN JAY.



*Report of John Jay, on a reference of his report of
31st January last.*

Office for Foreign Affairs, }
March 22, 1786. }

The Secretary of the United States for the Department of Foreign Affairs, to whom was referred his report of 31st January last, on certain letters from Mr. Adams, in order that he might prepare drafts of the instructions therein proposed, Reports :

That, in his opinion, the Minister Plenipotentiary of

the United States at the Court of Versailles should be instructed in manner following, viz :

Sir,

It is the pleasure of Congress that you represent to his most Christian Majesty, that, by the eleventh article of the treaty of alliance between his said Majesty and the United States, they guaranty to each other as follows :

The two parties guaranty, mutually, from the present time and forever, against all other powers, *to wit* : The United States to his most Christian Majesty the present possessions of the crown of France in America, as well as those which it may acquire by the future treaty of peace, and his most Christian Majesty guaranties on his part to the United States, their liberty, sovereignty and independence, absolute and unlimited, as well in matters of government as commerce, and also their possessions, and the additions or conquests that their confederation may obtain during the war, from any of the dominions now or heretofore possessed by Great Britain in North America, conformable to the fifth and sixth articles above written, the whole, as their possessions, shall be fixed and assured to the said States, at the moment of the cessation of their present war with England.

That the United States consider all the countries, dominions and territorial rights, ascertained and assured to them at the conclusion of the late war, by the treaty of peace between them and Great Britain, to be comprehended within the terms and the true intent and meaning of the said guarantee.

That among other obstacles to their full and perfect enjoyment of the said countries and territorial rights,

Great Britain continues to withhold from them, the possession of their frontier posts and places occupied by them during the late war, within the boundaries of the United States, as ascertained and fixed by the said treaty of peace, although by the seventh article of the said treaty, it was stipulated and agreed that his Britannic Majesty should, with all convenient speed, withdraw all his armies and garrisons, from the said United States, and from every post and place within the same, &c. That as near three years have since elapsed, the United States consider the detention of those posts and places, as being contrary to the terms of the treaty, and inconsistent with the good faith, with which it ought to have been observed.

That they have by their Minister, at the Court of London, remonstrated to his Britannic Majesty on this subject, but that no satisfactory answer has as yet been given to them.

That from the defensive state in which those posts and places are kept, as well as from the number of forces stationed in the Province of Quebec, the intention of his Britannic Majesty to evacuate them has become problematical.

That being thus circumstanced, the United States think it their duty to lay these facts before their good friend and ally, and to request that, in the first instance he will be pleased to join with them in making such further remonstrances to his Britannic Majesty, as it is to be hoped may render any less pacific proceedings unnecessary.

That the confidence which the United States repose in the justice and good faith of his Majesty, leaves them no

room to doubt of his readiness to join with them in the measure proposed, and therefore that they have instructed their Minister, at the Court of London, as soon as he shall be informed thereof, to confer freely and fully with his Majesty's Minister at the same Court, and in concert with him, to make such remonstrance on the subject to his Britannic Majesty, as they may jointly think most expedient and conformable to their respective instructions.

It is also the pleasure of Congress that you represent to his most Christian Majesty,

That, by the 8th article of the treaty of Amity and Commerce, subsisting between him and the United States, it is stipulated that "the most Christian King will employ his good offices and interposition with the King or Emperor of Morocco or Fez; the Regencies of Algiers, Tunis, and Tripoli, or with any of them; and also with every other Prince, State, or Power of the coast of Barbary in Africa, and the subjects of the said King, Emperor, States and Powers, and each of them, in order to provide as fully and efficaciously as possible for the benefit, convenience and safety of the said United States, and each of them, their subjects, people, and inhabitants, and their vessels and effects against all violence, insults, attacks, or depredations on the part of the said Princes and States of Barbary, or their subjects."

That the United States have found it necessary to commence negotiations with the above named powers, for the purpose of forming such treaties and arrangements with them, as may prevent their committing any future depredations, on the American vessels and trade.

You are to communicate to his Majesty an exact state of the measures taken for that purpose, and to request

that he will agreeably to the said article interpose his friendly aid, and good offices to promote the success of those negotiations; which negotiations Mr. Adams and you will conduct in such a manner as you and he may thing best calculated to give them all the advantage that can result from his Majesty's interposition.

Your Secretary further reports that the *Chargé d'Affaires* at the Court of Spain should be instructed as follows, viz:

It is the pleasure of Congress, that you present their thanks to his Catholic Majesty for the very friendly manner, in which he interposed his good offices with the Emperor of Morocco in behalf of the American vessel and crew, captured by one of the corsairs, as well as for the kind disposition he has expressed of his readiness to promote a good understanding, between the United States and that Prince.

You will communicate to his Majesty that Congress have taken measures for negotiating a permanent peace with the Emperor, and that they would esteem themselves greatly obliged by his Majesty's endeavors to promote the success of the negotiations, by exerting his influence at that Court in their favor.

You will assure his Majesty that his friendly attention to the United States will always make a correspondent impression on them, and that they will always be happy to embrace every occasion of testifying the sense they entertain of it, as well as of manifesting their sincere disposition to unite the two nations, by the strongest ties of mutual affection and reciprocal advantage.

Your Secretary takes the liberty of observing, that as their High Mightinesses have agreed by the 23d article

of the treaty between them and the United States to second and aid the negotiations of the latter with the African piratical States, it would, in his opinion, be proper for Congress to avail themselves of this article, and apply to their high Mightinesses accordingly.

All which is submitted to the wisdom of Congress.

JOHN JAY.

FROM JOHN JAY TO THE PRESIDENT OF CONGRESS.

Office for Foreign Affairs, }
December 29, 1785. }

Sir,

Your Excellency will receive herewith enclosed a letter to me of 21st instant, from Mr. Temple, who is desirous that Congress would be pleased to pass a resolution that may remove the difficulties stated in it.

I have the honor to be, &c.

JOHN JAY.

FROM J. TEMPLE TO JOHN JAY.

New York, December 21, 1785.

Sir,

It having been represented to the Ministers of the King my sovereign, that divers of his Majesty's subjects or loyalists, who had property and outstanding debts in these United States anterior to the late war, (and to whom his Majesty's benevolence and bounty are now about to extend commensurate with their real losses,)

have met with great trouble and difficulty, in obtaining, and in some instances have been totally refused such office copies from the public records and papers, as are indispensably necessary to substantiate their claims, before a board of commissioners appointed to receive and examine the same ; will you give me leave to request of you to be so obliging as to move the honorable Congress of these United States to take the matter into consideration, and to do thereupon as in their wisdom and justice may appear to be fit and proper upon the occasion, so as that said loyalists or sufferers, or their attorneys may have access to the public records and papers in the several States, (upon paying the lawful or usual fees of office,) in the same mode and manner as the subjects of the United States are permitted or accustomed to have.

I have the honor to be, &c.

J. TEMPLE.

The letter from Mr. Temple was referred to the Secretary for Foreign Affairs, to report on the propriety of the application and expediency of a reply ; in consequence of which reference, the Secretary made the following report:

Office for Foreign Affairs, }
December 31, 1785. }

The Secretary of the United States for the Department of Foreign Affairs, to whom was referred a letter to him of the 21st instant, from the Consul General of his Britannic Majesty, representing that certain persons called loyalists, had found difficulties in obtaining and in some instances been refused office copies of public

records in the United States, and desiring the interposition of Congress, &c. reports:—That, in his opinion, your Secretary should write a letter of the following tenor to Mr. Adams.

[See letter to Mr. Adams, page 395.]

Your Secretary is further of opinion, that he should write the following answer to Mr. Temple's letter, viz:

Sir,

I took the earliest opportunity, after the meeting of Congress, to lay your letter of 21st December before them.

They have ordered a copy of it to be transmitted to their Minister at the Court of London, with directions to communicate it to his Britannic Majesty, to inform him that the complaint stated in it being in general terms, and unsupported by any particular facts or evidence, they do not think it necessary or proper to take any measures in consequence of it; and to assure him that as it is their determination the treaty of peace shall be punctually observed by their citizens, and that his Majesty's subjects shall here enjoy all the rights which friendly and civilized nations claim from each other, so they will always be ready to hear every complaint which may appear to be well founded, and to redress such as on investigation shall prove to be so.

I have honor to be, &c.

JOHN TEMPLE, Esq. Consul General, &c.

“Resolved, That Congress agree to the said report.”

FROM JOHN JAY TO JOHN ADAMS.

New York, February 3, 1786.

Dear Sir,

My last to you was written the 2d ult. I acknowledge the receipt of your letters of the 15th, 17th, 21st, 25th December, 27th October last; no others have since arrived. All those as well as the letters which accompanied your draft with Great Britain, together with my reports in favor of them and of that draft are under the consideration of Congress, and as yet have produced no instructions to you on the subjects of them. So much time has elapsed since nine States were represented in Congress that many important matters still lay undiscussed and undecided.

I herewith enclose two copies of a report of Secretary Thompson, of 2d January, which will afford you accurate information of the acts of the several legislatures respecting the requisitions of Congress. The facts stated in it place the necessity of more system and stronger federal government in a strong light. Send one copy to Mr. Jefferson.

I also, enclose a copy of my report (to which Congress has agreed) on the subject of certain representations from Massachusetts which are mentioned in it. The papers which ought to accompany this report are very voluminous, and cannot possibly be copied in time for this packet. They shall be sent by the next, or by any good opportunity that may soon offer.

Three vessels will sail from this port for Canton the first fair wind, viz: the ship *Empress of China*, Captain Green; the ship *Hope*, Captain McGee; and the Bri-

gantine Betsey, Captain Neal McHenry; one is also ready to sail from Philadelphia, viz: the ship Canton, Captain Truxton. Congress have appointed Samuel Shaw, Esquire, formerly aid-de-camp to General Knox, to be their Consul at Canton, and Mr. Thomas Randal, of Philadelphia, to be their Vice Consul there.

I just learn that they applied to Mr. Van Berckel for letters to Batavia, but he declined giving them any, although he granted that favor to Captain Green the last voyage. Hence it seems, that the Dutch already begin to be jealous of our commerce with the east.

To avoid British laws a Mr. Lee lately brought here from India, a rich cargo, and returns in one of the said vessels; others will probably do the like, if so, the consequence may be important. Captain Sears of this town, (whom you know) adventures largely in this new commerce; he goes to Canton in the Hope.

The public paper of this State has lately risen in price, owing to the general expectation that the legislature are earnest in their profession to restore public credit. Appearances may be delusive, but there is reason at present to expect that this legislature will do more good than the last.

Mr. Temple neither does nor says much that I can learn, he seems cautious.

I have the honor to be, &c.

JOHN JAY.

P. S. Mr. Wyngrove who seems to be a very good man is the bearer of these despatches.

By the United States in Congress assembled, January 2, 1786.

Ordered, "That the Secretary of Congress report the number of States, which have complied in whole or in part with the revenue system of April 18th, 1783, the recommendation of Congress of the same date for an alteration of the 8th of the articles of confederation, and the act of the 30th of April, 1784, recommending the vesting of certain commercial powers in Congress."

Office of Secretary of Congress, }
January 4, 1786. }

In obedience to the orders of Congress, the Secretary of Congress reports:

That the revenue system of 18th April, 1783, consists of two parts:

1st. A recommendation to the States to invest the United States in Congress assembled with a power to levy for the use of the United States, certain duties upon goods imported into the said States, from any foreign port, island or plantation, to be applied to the discharge of the interest and principal of the debts contracted on the faith of the United States, agreeably to the resolution of 16th December, 1782, and not to be continued for a longer term than 25 years. The collectors of the duties to be appointed by the States respectively, but when appointed, to be amenable to, and removeable by the United States in Congress assembled alone. And in case any State shall not make such appointment within one month after notice given for that purpose,

the appointment may be made by the United States in Congress assembled.

With this part of the act the following States have complied :

New Hampshire, by act of 1st and 2d Jan. 1784.

Massachusetts, do 30th October, 1783.

Connecticut, do May, 1784.

New Jersey, do 11th June, 1783.

Pennsylvania, do 23d September, 1783.

Virginia, do October, 1783, chap. 31.

North Carolina do June, 1784.

South Carolina, do 21st March, 1784.

Rhode Island, in the session of their Legislature in the spring of 1785, passed an act for levying the duties pointed out by Congress, but have therein enacted that the collectors shall be appointed by and amenable to the general assembly, and that of the money arising from the duties a certain sum, viz : 8,000 dollars shall be appropriated in their treasury for the payment of the interest of that State's proportion of the foreign debt of the United States, and paid to the order of Congress, and that the surplus of the duties, and the amount of other taxes ordered by the said act, shall be appropriated to the payment of the interest of the internal debt of the United States due within that State. This act to take effect, when the other States in the Union agree to the said impost to the acceptance of Congress, and have provided other adequate funds for completing their quota of 1,500,000 dollars, according to the requisition of Congress of 18th April, 1783 ; but with this proviso and upon this express condition, " that no duties shall be collected upon articles imported into any State,

upon which the said duties have been paid in any other State, and that no duty shall be imposed by any one State, upon the citizens of another State, either upon imported articles having paid the duties aforesaid, or upon any articles of the growth, produce, or manufacture of the United States."

The State of Maryland in June, 1782, pursuant to acts of Congress of 3d and 7th February, 1781, passed "an act to authorize the United States in Congress assembled to impose and levy a duty of *five per cent.* on imported foreign goods, and on all prizes and prize goods for the payment of the debts contracted by Congress during the war." And in the November session, 1784, their Legislature passed a supplement to the aforementioned act, whereby it should take effect as soon as twelve States, including that State, vested Congress with similar powers. But it does not appear that they have passed any act pursuant to the recommendation of Congress of 18th April, 1783.

Delaware it is said has passed an act conformable to the recommendation above mentioned. But no official information thereof has yet been transmitted to this office, or to the board of treasury.

The second part of the revenue system of 18th April, 1783, consists of a recommendation to the several States to establish for a term limited to twenty-five years, and to appropriate to the discharge of the interest and principal of the debts contracted on the faith of the United States, for supporting the war, substantial and effectual revenues of such nature as they may judge most convenient, for supplying their respective proportions of 1,500,000 dollars annually, exclusive of the aforementioned duties.

With this part of the act, the following States have complied :

New Jersey, by their act 20th December, 1783.

Pennsylvania, do September, 1783.

North Carolina, do June, 1784.

Rhode Island in the act abovementioned has enacted, that a tax of one Spanish silver milled dollar, upon every hundred acres of land within that State, upon every male poll in the State, of 21 years of age, and upon every horse or mare of two years old and upwards, shall be annually laid, levied, and collected, and that the amount thereof shall be appropriated to the payment of the interest of the internal debt of the United States due within that State, with the proviso, and on the condition above set forth.

The act of the 18th April, 1783, also recommends to the States an alteration in the 8th of the articles of confederation and perpetual union, for ascertaining with more convenience and certainty, the proportions to be supplied by the States respectively to the common treasury. And the several States are advised to authorize their respective delegates to subscribe and ratify the same, as part of the said instrument of union, in the words therein mentioned.

With this part of the act, the following States have complied :

Massachusetts, by their act of 2d July, 1785.

Connecticut, do May, 1783.

New York, do April, 1785.

New Jersey, do June, 1783.

Pennsylvania, do August, 1783.

Maryland, do November, 1784.

Virginia, do May, 1784.

North Carolina, do June, 1784.

By the act of 26th April, 1784, it is recommended to the Legislatures of the several States, to vest the United States in Congress assembled with power,

1st. To prohibit any goods, wares, or merchandize from being imported into, or exported from, any of the States in vessels belonging to, or navigated by the subjects of any power, with whom these States have not formed treaties of commerce.

2d. To prohibit the subjects of any foreign State, kingdom or empire, unless authorized by treaty, from importing into the United States, any goods, wares, or merchandizes, which are not the produce, or manufacture of the dominions of the sovereign, whose subjects they are.

In pursuance of this act,

New Hampshire has invested Congress for fifteen years with full power to regulate the trade of the United States, as they may judge best calculated to promote the weal and prosperity thereof; the fees, profits, and emoluments arising from their regulations to be appropriated to the sole use of discharging public debts. See act 22d June, 1785.

Massachusetts has passed a law in the terms of the recommendation 1st July, 1784.

Rhode Island has empowered their delegates to agree to ratify any article empowering the United States in Congress assembled, to regulate, restrain, or prohibit the importation of all foreign goods, in any but American vessels. See act passed February session, 1785. And by an additional act passed October, 1785, the delegates are empowered to agree to any article by which the

United States in Congress assembled, shall be solely empowered to regulate the trade and commerce of the respective States and citizens thereof with each other, and to regulate, restrain, and prohibit the importation of of all foreign goods in American vessels for twenty-five years.

New York has passed an act in the terms of the recommendation, 4th April, 1785.

New Jersey,	do	26th November, 1785.
Pennsylvania,	do	15th December, 1784.
Maryland,	do	November, 1784.
Virginia,	do	3d May, 1784.
North Carolina,	do	2d June, 1784.
Connecticut,	do	May, 1785.

Ordered, That the above report be printed for the use of the members.

FROM JOHN JAY TO JOHN ADAMS.

New York, February 22, 1786.

Dear Sir,

I had the honor of writing to you on the 3d instant, since which I have not had the pleasure of receiving any letters from you. Among other papers then sent, was a copy of a report (agreed to by Congress) on the subject of certain representations from Massachusetts, but copies of the documents referred to in it, and which were then making could not be completed in time to be then sent; you will find them herewith enclosed, together with a list or account of them.

Nine States are not yet represented in Congress, and

therefore the affairs of the Department continue in the same state that they were in at the date of my last.

The public papers will enable you to see the complexion of the times. Federal opinions grow, but will be sometime before they will bear fruit ; and what is not the case with most other fruits they will, to judge from present appearances, ripen slower in the *South* than in the *north*.

The packet will sail next week. I shall then write to you again.

With great and sincere esteem, &c.

JOHN JAY.



Office for Foreign Affairs, }
January 3, 1786. }

The Secretary of the United States for the Department of Foreign Affairs to whom was referred a letter of 4th November last, from his Excellency the Governor of Massachusetts to the Delegates of that Commonwealth in Congress, reports :

That this letter states in substance that divers effects had by orders of the British Commanders-in-Chief been taken from the inhabitants, not as the property of enemies, but of persons under their protection, under the idea that the former ownership continued, and the greater part of which was expressly engaged to be restored by those commanders.

That the latter clause in a British act of parliament, passed 29th November, 1774, creates legal impediments to those owners recovering in due course of law the value of their effects so taken.

That considering the peculiar circumstances of this subject, the spirit and real intention of that clause, the times and general purposes that produce it, the legislature is induced to believe, that if Congress would instruct their Minister at the Court of London to move this subject, properly digested, to that Court, the government of that nation would, so far re-consider their former doings on it as to remove those impediments or make some other provision whereby right and justice shall be done to the parties and individuals more immediately concerned.

If Congress make any application to the British Court on this subject, it can only be either for *justice* or for *favor*, the latter will doubtless be out of the question. If for *justice*, two questions arise, *first*, whether their application can be supported on that ground, and *secondly*, whether it probably will be successful if it can be so supported.

The clause recites that, "Whereas, before the passing of this act, divers persons, vessels, cargoes, and *other effects* may have been seized, detained, damaged, or destroyed, in pursuance of orders, regulations, restrictions, and limitations, heretofore issued and established by the commanders-in-chief of his Majesty's forces in North America, or by persons acting under their authority for the *public service*, and for suppressing the rebellion in North America."

It then enacts, "that all such acts, matters and things, shall be deemed and are hereby declared to be legal, to all intents and purposes whatever; and all actions, &c. for, or by reason of any act, matter, or thing advised, commanded, appointed or done, with respect to such

orders and regulations by the said commander-in-chief, or by any person acting under their authority shall be discharged and made void."

May it not be questioned whether this act can be construed to invalidate the engagements or promises of the commanders to make restoration, or in other words, can effects taken under such engagements be considered as coming within the view and provision of the statute, which from the nature of it, must be construed strictly?

If the Court and their judges should adopt this idea, the matter will naturally remain as it now is, and the application would produce nothing, except perhaps, an opinion that it was premature.

If on the other hand they should consider all these cases, as within the act, might they not answer, that all military violence and injuries on both sides were done away by the peace, and that, as these cases were not provided for in it, they must remain as they then were?

May they not also answer, that we pass laws in some of the States, impeding British creditors from recovering their debts, as stipulated by the peace, and that in another we pass laws authorizing actions at law for damages done during the war by military order, and that, while such acts continue, such applications should be postponed?

Admit that justice demands of them to remove the impediments in question, is it probable that they would do it?

A judgment of the temper of the nation in general, and of their Parliament in particular, may be formed from Mr. Adams' letters; and they, in the opinion of your Secretary, represent it in a point of view so unfavor-

able as to promise no success to such an application. Many of their officers might be deeply affected by the loss of that indemnity, which they now hold on the faith of government; and it is not likely that they will open their treasury and compensate the sufferers in question out of it, when so many refugees for whom they are bound to provide are daily importuning them for money.

For these and a variety of reasons your Secretary thinks it not probable that such an application would be successful; and he also thinks that Congress should never demand or ask for even justice, while they have great reason to apprehend a refusal, unless in cases where they may be able and determined to compel a compliance by force or retaliation.

If a period should arrive when both countries shall be disposed to do away whatever may be mutually offensive or disagreeable, it is not improbable that in the moment of that good humor, they might do something for the sufferers under consideration, but that period has not yet arrived.

Upon the whole matter, your Secretary is of opinion that copies of these papers should be transmitted to Mr. Adams, that he be instructed to sound the British Minister on the subject, but not to bring forward any formal demand or representation on the subject, unless from preceding circumstances he shall be induced to think that it would have a favorable issue, it being the intention of Congress to refer the time and manner of doing it to his prudence and discretion.

All which is submitted to the wisdom of Congress.

JOHN JAY.

Papers on which the foregoing report was made, viz:

No. 1.

*From the Governor of Massachusetts to the Delegates
of that State in Congress.*

Commonwealth of Massachusetts, }
Council Chamber, Boston, November 4, 1785. }

Gentlemen,

The memorials presented to the Legislature of this Commonwealth, copies of which you have enclosed, with the papers that tend to support the facts stated in them, will suggest to your consideration a subject interesting to many individuals of this State. As this subject must be considered and adjusted on national principles, and may properly come under the consideration of Congress, you will give it that attention it deserves, and conduct it in such manner as shall appear to you most for the interest of the public, and the individuals concerned. It appears that not only the property of the persons described in the enclosed papers, but that the property of several other individuals, citizens of this State, was, during the late war taken from them, under similar circumstances, by virtue of the orders of the British Commanders in Chief in America, not as the property of enemies forfeited to the captors by the laws of war; but as the property of persons under their protection, which was taken under the idea that the former ownership continued, and a great part of which was expressly engaged to be restored by those commanders. Whence a just debt, of a private nature, a just right and claim, accrued to each of these individuals to demand and have an equivalent. And though the operations of law and the means of recovering those debts were suspended, during

the war, as a consequence of it, yet the British Government ought not, by a legislative act, to have created, or now to continue legal impediments to the recovery of them; or at least it is, according to the modern laws and usages of nations, right and just that the legislature of that kingdom should now remove those impediments by repealing the latter clause in the act of Parliament, a copy of which is enclosed, or make other provision for doing justice in this case. Considering the peculiar circumstances of this subject, the spirit and real intention of that clause, the times and general purposes that produced it, the Legislature of this Commonwealth is induced to believe, that if Congress should instruct their Minister at the Court of London to move this subject properly digested to that Court, the Government of that nation will so far reconsider their former doings on it, as to remove those impediments or make some other provision, whereby right and justice shall be done to the parties and individuals more immediately concerned.

In behalf of the Legislature, who prepared the foregoing letter, I have the honor to be, very respectfully, &c.

JAMES BOWDOIN.

No. 2.

COMMONWEALTH OF MASSACHUSETTS.

To the Honorable Senate, and Honorable House of Representatives in General Court assembled, at Boston, October, A. D. 1785.

The memorial and petition of Thomas Balfinch of Boston, Physician, humbly shews—

That, on the 19th of April, 1775, when hostilities were commenced between the troops of the King of

Great Britain and the people of this country, your petitioner was, as he from his birth had been, an inhabitant of the town of Boston, and being at that time visited with sickness in his family, and having a number of patients laboring under a variety of maladies, whose health, if not lives, depended on his constant and critical care, and attention, he was constrained from principles of humanity to remain within the town under the solemn engagement entered into by the commander-in-chief of the British troops to the inhabitants, that the persons and property of such as continued within the garrison should be safe and secure. That your petitioner, at this time, was the proprietor of a shop and stores under the care of Mr. Peter Roberts, Apothecary, stocked with a large and valuable assortment of all kinds of drugs, medicines, and other merchandizes, to the amount of £3421 2s. 6d. sterling, according to the best and most accurate calculation that he is now able to make, to which he has subjoined a demand for lawful interest on that sum: that on the 14th day of December, A. D. 1775, your petitioner's said shop and stores were forcibly broken open by the Provost of the garrison, assisted by certain British officers to your petitioner unknown, by virtue of orders given them by General Sir William Howe, then commander-in-chief, and all his property to the aforesaid amount taken and carried away for the use of the British Hospital, against the repeated remonstrances of your petitioner, who was denied the privilege even of taking an account of the articles, and was refused a receipt or acknowledgment of the same, which he afterwards solicited; all which will appear by the deposition and other papers herewith exhibited.

That your petitioner flattered himself that as no declaration of independence had then been made, and the inhabitants of both countries acknowledged the King of Britain as their common sovereign, the common law of England as practised in either country would construe the injury done him, into a civil trespass, for which he might one day be compensated in damages by a suit at law against Sir William Howe, and accordingly at the conclusion of the war, finding the treaty of peace had left open to the individuals of both countries their legal remedies for just demands, your petitioner sent his evidence aforesaid to Great Britain with directions to his friend there to institute a suit against Sir William Howe for the recovery of damages for the injury he had sustained; but he now finds that the Parliament of Great Britain have passed a solemn act of indemnity in favor of Sir William Howe, and all others who acted under his command while in America, against all supposed wrongs by him or them committed during the war, and have thereby not only prevented your petitioner from his individual remedy at law, but have adopted the doings of Sir William Howe and made the nation answerable for his conduct. The American Minister at that Court has been accordingly applied to in this view of it, but he declines entering upon the subject until he is empowered and directed by Congress, specially on the subject; though (as your petitioner has been informed) he has been pleased to acknowledge the justice and propriety of the measure.

As, therefore, your petitioner's property was forcibly taken from him while under the power and control of the British Army, and by order of the Governor of *their*

garrison, and was appropriated to the use and benefit of the British Government; and as the Supreme Legislature of that kingdom have deprived your petitioner of his legal remedy by a public national act, contrary, (as he humbly conceives,) to the spirit and meaning of the 4th article of the treaty of peace, he has no other mode of redress but by imploring the interposition of the Government, to which he owes and pays allegiance upon national principles; and which, by the original social compact, which each individual has entered into with society, and society with each individual, they are bound to afford. He, therefore, prays this honorable court would take his case into their consideration, and grant him relief by requesting the United States in Congress assembled, to instruct their Minister at the Court of London to demand of that nation an equivalent for the property taken as aforesaid, and that your honors would also pass an act that no suit should be sustained against your petitioner for any monies due from him, to any of the subjects of the King of Great Britain (to some of whom he stands partly indebted for the goods taken as aforesaid) until such equivalent is granted, or the act of indemnity aforesaid of the said British Parliament in favor of said Sir William Howe is repealed, or that this honorable Court would otherwise interpose their supreme authority for the relief of your petitioner in the premises as to them shall seem right and fit, and as in duty bound he shall ever pray.

THOMAS BULFINCH.

Boston, October 24, 1785.

No. 3.

To the Honorable the Senate and the Honorable House of Representatives of the Commonwealth of Massachusetts in General Court assembled, on the 22d day of October, 1785.

The memorial of John Rowe, Samuel Austin, Samuel Partridge, and Samuel Dashwood, humbly shews—

That, when in the year 1775, the town of Boston was made a garrison by the army of the King of Great Britain, they were respectively possessed of a very great quantity of merchandize which was in their stores and shops within the town, that there being at the time or before the 17th day of March, 1776, the day when the said garrison was withdrawn, no declaration of the independence of the United States of America, all the people within as well as without the town were confessedly the subjects of the King of Great Britain, and those who necessarily remained with their property under the control, were also under the protection of the British army, and according to either the municipal laws of England and the country, or the laws by which nations at war at all times govern themselves, had a right to expect the complete protection of their persons and property from the army then within the town. The want of health, which the said Rowe then labored under, rendered it necessary that he should remove himself to some place where he could have enjoyed more tranquillity and a better air; but his removal was expressly prohibited by the commander-in-chief, as was that also of the said Samuel Dashwood. The said Samuel Austin was, during the time aforesaid, employed as a selectman of the town, and the said Samuel Partridge as an overseer of

the poor, their presence in their offices were no less necessary to the comfort and relief of their fellow citizens, than to the government of the town, and their employment and attention at the request of the commander, and the supplications of the people, were arduous and unremitted. In this situation all your memorialists continued until General Howe withdrew himself from Boston.

On the 10th day of March, 1776, General Howe issued his proclamation directing the people to deliver their goods on board the ship *Minerva* to Crean Brush, as appears by paper numbered *one* herewith presented. On the same day the General issued his other orders, directed to Crean Brush, authorizing and requiring him to take into his possession, all such goods as if in the possession of the American army would enable them to carry on the war, as will appear by paper number *two*, in consequence whereof the said Crean Brush took into his possession and carried away from the said John Rowe goods to the amount in value of two thousand two hundred and sixty-six pounds one shilling, as appears by papers numbered three and four, the originals whereof remain in the office of the Secretary of the Commonwealth, and also took and carried away from the said Samuel Austin merchandize to the amount in value of three thousand six hundred and forty-six pounds seven shillings and ten pence as appears by his account duly attested and numbered 7, 8, 9, 10 and 11; and goods of the said Partridge to the value of five hundred and thirty-six pounds sixteen shillings and a penny two farthings sterling money, as will appear by the papers, No. 12, 13 13 and 14; and from the said Samuel Dashwood merchandize to the value of four thousand, eight hundred and twenty-three pounds ten shillings, as will appear

from papers numbered 15, 16, 17 and 18; the legal interest upon which sums has amounted to the several sums, calculated and expressed at the foot of the accounts, which the memorialists have herewith separately presented.

Your petitioners feeling themselves exceedingly oppressed by the loss of their property, and knowing the same to be taken by order of the government which the town was then under, had strong hopes of regaining the value of their goods upon the commencement of a peace between the two countries, and therefore, soon after the late treaty, employed an agent to prosecute the matter; but on his arrival in England he found General Howe indemnified by an act of the Parliament of Great Britain, from any action that might be brought against him, or any one acting under him in the measure aforesaid, a copy whereof is herewith presented, and numbered 19, and the last section therein is above referred to. The agent of your memorialist made application to the honorable Mr. Adams, Minister of the United States at the Court of London; but he having no instruction from Congress upon the matter, could afford him no assistance.

Your memorialists do humbly conceive that as their property was taken by order of the British government, while they were under the control, and consequently, under the protection of the army of that government, and taken as they can make appear with a professed intention as well for the benefit of the British merchants, to whom your memorialists stood indebted as for the use of the army of the King of Great Britain, that the value thereof is clearly due to them within the spirit and meaning of the 4th article of the treaty of peace,

and that there ought to be no legal impediment to their recovering the same; nevertheless the above mentioned act of Parliament, forbids their having a legal demand against Sir William Howe for the same by means whereof they have now, no redress, but by applying upon national principles to the Government, to which they owe allegiance. And do therefore pray your honors to grant them relief, by requesting the United States in Congress assembled to instruct their Minister at the Court of London to demand of the government there, an equivalent for the property taken, and also, by passing an act that no suit should be maintained against either of your memorialists for any money due from them respectively to any of the subjects of the King of Great Britain, until such equivalent is insured, or the act of indemnity aforesaid is repealed. As your memorialists, as citizens of this Commonwealth, have to look to your honors alone for assistance upon all matters of national right and justice, they can have no reason to doubt of your attention to their memorial, and rest satisfied that as the honor and interests of the United States stand sacredly pledged to assist each individual, where the wrongs committed by a foreign power cannot be redressed by the municipal laws of the country, they shall have the wisdom not only of this Legislature; but that of the United States in Congress assembled, to obtain them a recompence for the injury they have sustained.

JOHN ROWE,

SAMUEL AUSTIN,

SAMUEL PARTRIDGE,

SAMUEL DASHWOOD,

A true Copy, }

Attest:

} JOHN AVERY, Jr. Secretary.

No. 4. An authenticated copy of a letter from Dr. Morris
to Dr. Bulfinch, December 19, 1785.

No. 5. Dr. Bulfinch's account.

No. 6, 7, and 8. Affidavits of P. Roberts, Charles Joy,
and John Hoffains for Dr. Bulfinch.

No. 9. John Rowe's account.

No. 10. Philip Jarvis' deposition for John Rowe.

No. 11. Samuel Austin's account.

No. 12. Affidavits of Timmy Newell, and Samuel Sloan
for Mr. Austin.

No. 13. Samuel Partridge's account.

No. 14, 15. Affidavits of Lydia Brown, E. Ivers and
Ann Wheeler in favor of Samuel Par-
tridge.

No. 16. Samuel Dashwood's invoice of goods and his
testimony.

No. 17, 18. Depositions of Eliza Ivers, Ann Wheeler and
Isabella Welsh for Samuel Dashwood.

No. 19, 20. General Howe's order to Crean Brush and
Brush's examination.

No. 21. General Howe's proclamation of 10th March,
1776.

A printed act of parliament passed
26th November, 1774.

FROM JOHN ADAMS TO JOHN JAY.

Grosvenor Square, Westminster, Nov. 4, 1785.

Dear Sir,

Yesterday at the Minister's levee, one of the foreign
Ministers put into my hands a Leyden gazette, in which
I found announced to the public, an arrêt of the King of

France of the 18th of September, in which a bounty of ten livres per quintal is promised to any French merchants, who shall import into the market of the French West India Islands, or of Spain, Portugal or Italy any fish of the French fisheries, and in which the impost upon all foreign fish is raised to five livres a quintal. This amounts to an encouragement of fifteen livres a quintal upon French fish in the West Indies.

As the supply of the French islands with fish is so material, perhaps so essential to our fishery, this ordinance deserves the earliest and most serious attention of every man in America, who has any regard to our fisheries.

As the supply of the French islands with fish is of so much consequence to the British fishery, I took occasion, in a conference with the Marquis of Carmarthen, to mention it to him, and to observe to him, that I left it to his Lordship to consider whether the British fisheries could be supported against the influence of this ordinance without the freest communication of supplies from the United States. His Lordship thought it deserved consideration, and that was all the oracle would deliver. I afterwards mentioned it to Mr. Frazer, his Lordship's under Secretary of State.

The Marquis of Carmarthen, that I may let you into enough of his character to account for his conduct, is a modest, amiable man, treats all men with civility, and is much esteemed by the foreign Ministers as well as the nation; but is not an enterprising Minister, is never assuming, and, I believe, never takes upon himself to decide any point of importance without consulting the cabinet. He never gives his private opinion, but in all

things which respect America, I do not believe that he or any other of the ministry have yet formed any. We shall, I think, learn nothing of their designs till they are brought forth in Parliament in the course of the winter and spring.

Mr. Pitt commenced his career with sentiments rather liberal towards the United States, but since he has been Prime Minister he has appeared to have given ear to the Chancellor and Lord Gower, Mr. Dundas and Mr. Jenkinson, with their instruments, Irvin, Chalmers, Smith and others, so much as to have departed from his first principle. He has tried the experiments of the Newfoundland bill, and the fourth Irish proposition; but finding the fatal success of both, he may be brought back to the system with which he set out, but I doubt it, or rather I am convinced he never will, until he is obliged to it, by our States adopting navigation acts.

There is published this morning in the Chronicle, the proceedings at Charleston on the 15th August, which look very encouraging, if the legislature of South Carolina lay partial restrictions, on the ships of such nations as have no treaty of commerce with the United States. I think it cannot be doubted that all the other States will come into the measure, because there is none which will suffer a greater temporary inconvenience by it. These measures have a tendency to encourage the naval stores of North Carolina so much, that she will be a gainer.

But the principal danger is, that these restrictions may not be sufficiently high to give a clear advantage to the ships of the United States.

I cannot repeat to you too often, sir, that all my hopes are founded upon such exertions in America. The trade

with America must come under consideration of Parliament, in the renovation of the intercourse act, if not of the Newfoundland act; and their deliberations will be influenced by nothing but American navigation acts. I fear there are not enough of these yet made, nor likely to be made this year, to have much effect.

This nation is strongly blinded by prejudice and passion. They are ignorant of the subject beyond conception. There is a prohibition of the truth, arising from popular anger. Printers will print nothing which is true without pay, because it displeases their readers; while their gazettes are open to lies, because they are eagerly read, and make the paper sell. Scribblers for bread are wholly occupied in abusing the United States; and writers for fame, if there are any such left in this country, find the public applause wholly against us. The rise of the stocks established Mr. Pitt, and if he were willing, he would scarcely be able to do right until America shall enable him and oblige him.

I am, Sir, &c.

JOHN ADAMS.

FROM JOHN JAY TO JOHN ADAMS.

Office for Foreign Affairs,
May 1, 1786. }

Dear Sir,

It is the pleasure of Congress that you protract your negotiation with the Court of Great Britain, respecting posts which should have been, before this, surrendered to the United States, and other infractions of the said

treaty by that power, so as to avoid demanding a categorical answer respecting the same, until the further orders of Congress.

I have the honor to be, &c.

JOHN JAY.

FROM JOHN ADAMS TO JOHN JAY.

Grosvenor Square, Westminster, November 5, 1785.

Dear Sir,

The Chevalier de Pinto, Envoy Extraordinary and Minister Plenipotentiary from Portugal, after a long absence by leave of his Court, is lately arrived here from Lisbon; upon several occasions when I met him at Court and upon visits, he told me, that he had orders from his Court to confer with me, upon the project of a treaty between the United States and Portugal, but he never descended to particulars till yesterday, when he called upon me, and said that before he left Lisbon, his Court had learned that I was in England, and had charged him to enter into conference with me, concerning the project of a treaty which had been transmitted to his Court by the Count de Souza; that the Portuguese ministry, notwithstanding their high esteem for their Ambassador in France, knowing that he lived in the country, and was in distress, did not choose that the negotiation should be any longer conducted by him, but had committed the project to their Envoy at the Court of England, and had instructed him to assure me that the Court of Lisbon was sincerely desirous of entering into a treaty of commerce with the United States of America, a

power with which it was more convenient for Portugal to trade than any other; but there were some things in the plan proposed, which were inadmissible, particularly, the Americans could never be admitted into the Brazils, it was impossible. It was the invariable maxim of their Court to exclude all nations from those territories, and having himself served for some years as Governor General of one of the Brazils, he knew it was a policy, from which his Court could never on any consideration depart; that it was a great compliment to him to be preferred to the Count de Souza for the conduct of such a negotiation; that he made no pretensions to such merit, but readily acknowledged the superiority of the Ambassador; but it was the pleasure of his Court, and he had no right to dispute it.

I answered that I had no authority to treat, but in conjunction with Mr. Jefferson, the Minister Plenipotentiary of the United States at the Court of Versailles. That the full power to treat with Portugal, was to Mr. Jefferson and me jointly; so that I could conclude nothing without his concurrence, nor carry on any conferences without communicating them to him. To this I supposed he could have no objection; he said, none at all.

His first instruction was, he said, to confer with me concerning the mutual wants and several productions of our countries, which might be the objects of commerce. His countrymen wanted, he said, grain. I asked if they did not want flour? He said he was not precisely instructed concerning flour, but they had mills in Portugal which they wished to employ. I replied, that in every negotiation, I thought there ought to be a mutual con-

sideration of each other's profits and losses, advantages and disadvantages, so that the result might be equitable, and give satisfaction on both sides; that a commerce founded upon compacts made upon this principle would ever be carried on with more pleasure, and to better effect; that we had mills which we wished to employ as well as Portugal, and mills as costly and as good as those of any nation. In this respect, then, our pretensions were mutual and equal; but there were other particulars, in which, without any benefit to Portugal, the loss to the United States would be very great. The commodity was more difficult to preserve in grain than in flour; it was more exposed to the insect, and to heat, both at home, and upon the passage, by which the loss upon wheat was much greater than that upon flour; that it would not be equitable then for Portugal to receive wheat to the exclusion of flour. That this was a point of so much importance that it would facilitate the treaty and encourage the commerce, if his Court should think fit to agree to receive our flour.

He said he had not precise instructions, but he would write to his Court particularly upon this subject. The next article wanted by the Portuguese, was lumber of various sorts, particularly staves for pipes, in large quantities. They wanted also ship timber, pitch, tar and turpentine; pot ash for their manufactures of glass, iron, masts, yards and bowsprits, furs, ginseng, and above all, salt fish. The consumption of this article in Portugal, he said, was immense, and he would avow to me that the American salt fish was preferred to any other, on account of its quality. Here you see, says the Chevalier de Pinto, is a catalogue of articles which the Portuguese

will want in larger or smaller quantities—now what are the articles you can take in America in exchange? It behooves my nation to inquire what they can supply yours with, otherwise the balance in your favor may be too ruinous to us. It happens unluckily for Portugal, that the Americans have no occasion for our principal commodities, which are tobacco, rice, indigo, &c. the produce of the Brazils. I replied, that the United States had been used to take considerable quantities of Madeira, Lisbon and port wines, fruits, olive oils, salt, &c. He asked why we could not take tea from Lisbon? They imported from the east, large quantities, and very good. The English East India company had purchased of them this year, teas to the amount of forty thousand pounds, and he thought they could sell it to us cheaper than we bought it elsewhere. They could supply us, likewise, with other East India goods. Perhaps we intended to supply ourselves by a direct trade to India. He was glad to hear that our first enterprizes had succeeded; but if we continued to take any part of our consumption from Europe, they could supply us as cheaply as any other nation. Sugar, too, the produce of the Brazils, they could furnish to us of as good quality as English or French, and much cheaper. If we should think of manufactures among ourselves, they could let us have wool of the same quality with the Spanish, and cotton in any quantities we might want. If we made chocolate, they could sell us cocoa. Indeed they had woollen manufactures, and could afford us cloth as good and cheap as other nations. These were things, I replied, in which the merchants on both sides should speculate. If the United States should proceed in the plan already begun,

of encouraging their own manufactures, the raw materials of wool and cotton would be in demand. And if they persevered in their measures for encouraging their own navigation, they would want large quantities of hemp, sail cloth, &c. from the Baltic; and for what I know, they might find their account in taking sugars, cotton, cocoa, &c. at Lisbon, to carry as remittances to Peterburgh and Stockholm. They might even, upon some occasions, purchase tobacco, rice and indigo, for the same market, as well as the Mediterranean, if that sea should be open to our ships. But all these things would depend upon the facilities given to our commodities by the treaty. Nothing would contribute so much to promote the trade, as their receiving our flour without duties or discouragements; our ready built ships too, were an article of importance to us. He said he did not know that our ready built ships were prohibited. I asked if they could not take our spermaceti oil, to burn in their lamps, or for any other uses. He said no; they had such an abundance of oil made in the country, of olives which grew there, that they had no occasion for their own spermaceti oil, which they sold to Spain. They had now a very pretty spermaceti whale fishery, which they had learned of the New Englanders, and carried on upon the coast of Brazil. I asked if they could not take our spermaceti candles, and burn them in their churches? He said they made some wax in Portugal and some in Brazil, but he would own it was not enough for their consumption. The surplus they bought in Italy and Barbary at a dear rate. At length, I observed to the Chevalier, that Portugal abounded in two articles which would be extremely convenient to my fellow-citizens, in

which she might always balance accounts with us to our entire satisfaction, whether we should take more or less of their other commodities. These were silver and gold ; than which no kind of merchandize was in greater demand, or had a higher reputation. The Chevalier thought the taste of his countrymen so much like ours, that they had rather pay us in any thing else.

I added, if the conduct of the Court of St. James should oblige the United States to make a navigation act, their commerce must increase with Portugal. A navigation act! says he. Why there is not a nation in Europe that would suffer a navigation act to be made in any other, at this day. The English navigation act was made in times of ignorance, when few nations cultivated commerce, and no Court but this understood or cared any thing about it; but at present all Courts were attentive to it. For his part, if he were Minister in Portugal, he would not hesitate to exclude from her ports, the ships of any nation that should make such an act. I replied, that I did not mean a navigation act against any nation but this; but if the English persevered in enforcing their act against us, we could do no other than make one against them. The Chevalier said we should be perfectly in the right. The Courts of Europe had a long time cried out against this act of the English. If it were now to begin, it would not be submitted to.

This observation is just, and it may be carried farther. I do not believe the British navigation act can last long, at least, I am persuaded if America has spirit enough, *umbone repellere umbonem*, that all the nations will soon follow her example, and the apprehension of this would be alone sufficient, if thinking beings governed this island,

to induce them to silence America, by giving her satisfaction. But they rely upon our disunion and think it will be time enough, when we shall have shown that we can agree.

The Chevalier concluded the conference by saying that he would write to his Court for farther information and instructions, and as I understood him for full powers; but before he went away he said, he had orders from his Court, to inquire of me, what were the sentiments of Congress upon the head of Ministers and Consuls, whether they would send a Minister and Consul to Lisbon. His Court had a mind to send somebody to the United States, but etiquette required, that Congress should send in return to Portugal. I answered, that in the project of a treaty which was in his possession, there was an article that each party should have a right to send Consuls, so that when the treaty was concluded, Portugal would be at liberty to send when she would; as to Ministers I had no instructions, but there could be no doubt, that if their Majesties of Portugal thought proper to send an Ambassador of any denomination, he would be received by Congress with all the respect due to his character and his sovereign. He said, if there was a treaty there ought to be Ministers. I could not answer to this particularly for want of instructions, but Congress had as yet but few Ministers abroad, and indeed, they had not found many gentlemen disposed to quit the delights of their own families and connexions, and the esteem of their fellow-citizens, for the sake of serving in Europe; and here ended the conversation.

With great esteem, &c.

JOHN ADAMS.

P. S. I forgot to mention in its place, that I asked the Chevalier about our ships being admitted to the Portuguese Island of Macao, in the East Indies. He said that would be of importance to us, for he did not see how the commerce with China could be carried on without the use of that island, as there were certain seasons of the year when European ships and American too, he supposed could not be admitted into Canton. But our ships should enjoy the benefit of their island as fully as any nation in Europe.

You will perceive, Sir, by this conference, what is more and more manifest every day, that there is, and will continue, a general scramble for navigation, carrying trade, ship building, fisheries, are the cry of every nation, and it will require all the skill and firmness of the United States to preserve a reasonable share of their own; they have brought treaties of commerce so much into fashion, that more have been made since the American war and are now in negotiation, than had been made for a century before. Courts which never made one before, are now proposing them to several others. Portugal is supposed to be pushing for one with Russia; and if we have heretofore been discouraged and thwarted in any attempts, it was by those who meant to be beforehand with us, in proposals, which they taught us to believe it unnecessary and beneath our dignity to make. France does not now think it beneath her dignity to propose a treaty with Russia, nor do French or English newspapers, under the direction of their Courts, think it beneath them to fill all Europe with reports of our disunion, and of the want of powers in Congress to make treaties, in order to keep us back.

The fatal policy of obstructing and delaying our treaties of commerce, especially with England, has thrown American merchants into their present distress, and not only prevented our acquiring fresh advantages in trade by the revolution, but taken from us many sources which we enjoyed before. Our countrymen, partly from penury and partly from fondness, have been too easily drawn into the snare.

J. A.

FROM JOHN ADAMS TO JOHN JAY.

Grosvenor Square, November 11, 1785.

Dear Sir,

There is no better advice to be given to the merchants of the United States than to push their commerce to the East Indies as fast and as far as it will go.

If information from persons who ought to know may be depended upon, the tobacco and peltries as well as the ginseng of the United States, are proper articles for the China market, and have been found to answer very well, and many other of our commodities may be found in demand there. But there is another resource, which may prove of equal value at present. There are many persons, in the European factories in India, particularly the English, who have accumulated large property which they wish to transmit to Europe, but have not been able to do it, on account of the distance and the scarcity of freights. These would be glad to sell us their commodities, and take our bills of exchange upon Europe or America, payable in twelve or eighteen months possibly in longer periods.

These facts are known to individuals in America, but will probably be concealed from the public at large, lest the speculators and adventurers, should be too numerous for the profit of a few.

The States may greatly encourage these enterprises by laying on duties, upon the importation of all East India goods from Europe, and indeed, by proceeding in time to prohibitions. This, however, may never be necessary. Duties judiciously calculated and made high enough to give a clear advantage to the direct importer from India, will answer the end as effectually as prohibitions, and are less odious, and less liable to exceptions.

We should attend to this intercourse with the East, with the more ardor, because the stronger footing we obtain in those countries, of more importance, will our friendship be, to the powers of Europe who have large connexions there. The East Indies will probably be the object and the theatre of the next war, and the more familiar we are with every thing relative to that country, the more will the contending parties desire to win us to their side, or at least, what we ought to wish for most, to keep us neutral.

Much will depend upon the behavior of our people who may go into those countries. If they endeavor, by an irreproachable integrity, humanity and civility to conciliate the esteem of the natives, they may easily become the most favored nation, for the conduct of European nations in general, heretofore, has given us a great advantage.

East India manufactures in silk and cotton, &c. are prohibited in England, and as we have no such prohibi-

tions in America, because we have no such manufactures for them to interfere with, we may take them to a great advantage. I am, &c.

JOHN ADAMS.



Report of Secretary Jay, on Mr. Adams' letter of 11th November, 1785.

Office for Foreign Affairs, }
May 8, 1786. }

The Secretary of the United States for the Department of Foreign Affairs, to whom was referred a letter from the honorable Mr. Adams of 11th November last, Reports :

That the facts and observations contained in this letter appear to your Secretary to be well founded.

That Congress, for want of power to regulate trade by their own acts, can make no other use of this letter than to publish it or to refer it to the States.

That in his opinion it should not be published, lest it increase the jealousy with which our late adventures to the Indies, have already inspired the nations trading thither.

That he also thinks it should not be referred to the States, because the clashing and unsystematical regulations which thirteen different States will naturally establish, must operate against national objects, and, therefore, that their interfering in national concerns, except in subordination to the federal government, should not be encouraged.

All which is submitted to the wisdom of Congress.

JOHN JAY.

FROM JOHN ADAMS TO JOHN JAY.

Grosvenor Square, November 24, 1785.

Dear Sir,

I was yesterday honored with your letter of the 14th of October, accompanied with the gazettes and the act of Congress of the 27th September.

You will learn from Mr. Dumas' letters, as well as by the public papers, that the treaty of defensive alliance between France and Holland was signed at Paris on the 10th of this month. The vain exertions of the cabinet of St. James' to prevent it, are so far from being a secret, that the English or Orange party, which is the same, have inserted them in their own *Courier du Bas Rhin*. The offers are there stated to have been, the restitution of Negapatnam, the renunciation of the navigation of the Moluccas, the payment of the millions to the Emperor, the warranty of the new treaty with the Emperor, and the alteration of the navigation act in favor of Holland. Sir James Harris, with his Secretary of Legation and three clerks, are said to have been very busy night and day, but all to no purpose. It is not at all to be wondered at, that British Ministers should be alarmed; the only wonder is, that that they did not foresee and prevent the danger. Two years ago, by an honest settlement with America, and less costly offers to Holland, they might have maintained their rank among the powers of Europe. It is now lost forever.

The loss of the empire of the seas, which their ambition has long aspired to, and which their arrogance has long claimed, would be a benefit to mankind, and no real evil to them; but they will now find it difficult to

defend their liberty upon the seas, and if the United States of America should accede to this defensive alliance upon any reasonable terms, think of it as they will, their navigation, their possessions in the east and west, and their Empire, will be at mercy.

I am not informed whether Congress have any such measure in contemplation, but if they have, they ought not to delay it from any expectation of any thing that I can do here. So far from entertaining any sanguine hopes, I think there is scarcely a possibility that I should do any thing; there are divisions in the Ministry, Thurlow, Gower, Dundas and Jenkinson, are of the old leaven, and the King will have them, or some other of the same stamp to govern. Pitt is but a tool, and an ostensible pageant, a nose of tender virgin wax, he could not carry in parliament nor in the cabinet, any honest system with America, if he meant to do it; but he is himself very far from being steady in his American politics, any more than Cambden or Richmond; and Sidney and Carmarthen are cyphers. This is naked truth, but I should be unworthy of your confidence if I did not expose it to you, although your prudence and that of Congress, will not proclaim it to the world.

This great event of the French and Dutch alliance, must awaken the feelings of this nation, if they have any left, and affords the only opportunity which has yet presented for offering, with any propriety, a memorial concerning the evacuation of the frontier posts. It would have looked somewhat too emphatic, to have gone with a memorial, the first moment of the arrival of the news, and it would be imprudent to delay it till the whole impression is worn off. As a medium then, I have con-

cluded on the day of the next stated conferences of the foreign Ministers, which will be next Thursday before the drawing room, to wait on Lord Carmarthen with a memorial, requiring, in the name of the United States, the evacuation of all the posts.

It will not be done, however, and I shall have no answer. They have not the courage to refuse any more than to comply. I have no answer to any of my letters or memorials to the ministry, nor do I expect any, before next spring, perhaps not then.

There is no resource for me in this nation. The people are discouraged and dispirited, from the general profligacy and want of principle, from the want of confidence in any leaders, from the frequent disappointments and impositions they have experienced in turn from all parties. Patriotism is no more, nor is any hypocrite successful enough to make himself believed to be one.

Fox and his friends and patrons are ruined by the endless expenses of the last elections, and have no longer any spirit or any enterprize.

North and his friends are afraid of impeachments and vengeance, and therefore, will avoid all hazardous experiments by which the popular cry might be excited.

I see nothing, therefore, to prevent the States from completing their measures for the encouragement of their own manufactures and navigation, or from deliberating upon a new treaty of commerce with France, or even a new alliance, you might probably purchase a market for your ready built ships, and your oil, &c. in France, and the admission of your flour, and all other things, to their islands, by stipulating to lay greater duties upon British than French ships and goods, to lay duties upon English

West India rum, in favor of French brandies, &c. But in these things I think we need not be in haste.

Mr. Barclay and Mr. Franks are gone to Morocco, and Mr. Lamb and Mr. Randall to Algiers, as I suppose.

Russia as well as Portugal, are piqued at present with this Court, and Count Warranzow has several times lately asked a friend of mine, why the United States did not make advances to his mistress. Our commissions for treating with the powers of Europe expire next June, long before we shall have completed the business. Congress will determine whether to renew them.

I have the honor to be, &c.

JOHN ADAMS.

FROM JOHN ADAMS TO JOHN JAY.

Grosvenor Square, November 24, 1783.

Dear Sir,

I should have added in my letter of this day, that Shelburne professes to be steady to the principle which he adopted at the peace; and if he were to come in, he would do something if he could; but as an Irishman, he is hated both by the English and Scotch nobility. As Marquis of Lansdown, he is envied for his elevation over older families, and he seems to have no sufficient connexions to support a vigorous administration, nor do I learn there is any probability of his coming in.

Indeed I think this nation will have dangerous convulsions. The nobility are poor, in debt, and distressed; and at present the great families all out of power. Ireland will give them trouble, and no one can say what

events may turn up from day to day. If the stocks can be supported, however, the calm will continue; but it is doubtful whether this can be.

There is no question more frequently asked me by the foreign Ministers, than what can be the reason of such frequent divisions of States in America? and of the disposition to crumble into little separate societies, whereby there seems to be danger of multiplying the members of the confederation without end, or of setting up petty republics, unacknowledged by the confederacy, and refusing obedience to its laws. In the infancy of societies men have generally been too little informed in their understandings, and too much given up to the government of their passions, to associate in large communities; but experience has shewn them the ill effects of too many divisions. Spain was not long ago divided into ten or twelve kingdoms; ten of them are now united in one. France was once divided into twelve States; now all incorporated into one kingdom. Scotland was formerly divided into two kingdoms, and England into seven; these are all now in one. One must read many volumes of history to see the miseries arising from those petty divisions of mankind, and the immense expense of blood and treasure which it cost them to learn by experience the necessity of uniting in larger bodies.

I have not information enough of the facts, in any particular instance, to apply these reflections to any particular case; but the frequent accounts we have in Europe of new States springing up out of fragments of old ones, and the numerous proposals of more, do us much harm abroad. They are considered as proofs of an impatience of temper, a restlessness of disposition, that will give us

much inconvenience, will weaken us, and endanger our confederation.

It is the earnest wish of all who desire our prosperity, that this dangerous spirit may be checked as far as it can be, consistently with reason and justice.

It gives me pleasure to learn that Doctor Franklin is arrived in so good health, and that he is happy in Philadelphia; and I wish very sincerely that his great age and singular reputation may give him a dominion over the minds of the people, sufficient to reconcile them to certain amendments in the constitution of Pennsylvania, without which, that respectable commonwealth, from the very nature of man and society, must forever remain a prey to unbalanced parties.

I have not had the time to send you copies of the letters which passed between me and Mr. Fagel and Mr. Dumas, upon my arrival here. If Mr. Dumas has done it, I am much obliged to him, and it will be unnecessary for me to repeat them. I wish a Minister may be sent there. But it is doubtful whether any body can be found to accept of an appointment abroad, and you will not be surprized at the reluctance.

With great regard, &c.

JOHN ADAMS.



FROM JOHN ADAMS TO JOHN JAY.

Grosvenor Square, Westminster, December 2, 1785.

Dear Sir,

Enclosed are copies of private letters, which have passed between Lord Carmarthen and me, relative to the appointment of Mr. Anstey.

The end of this appointment, is to prevent impositions upon the commissioners in ascertaining the claims of the loyalists. Mr. Anstey will have occasion for copies of public records, to which I suppose there can be no objection in any State, and as his friendly reception will have a tendency to conciliation, I made no scruple to promise to recommend him.

I might have written a letter to this purpose to the honorable, the delegates of each State, and it is not from any want of sufficient respect to them, but merely for want of time, that I have not done it; I hope, therefore, that the gentlemen will excuse it, and accept of this general recommendation of Mr. Anstey to all the members of Congress in the execution of his business.

To give the loyalists facilities in procuring evidence of their losses, in order that they may be compensated by great Britain, is to take away from them all reasonable ground of complaint, so that I hope I shall not be thought to have gone beyond my line in so readily complying with his Lordship's request.

With great respect, &c.

JOHN ADAMS.



FROM LORD CARMARTHEN TO JOHN ADAMS.

St. James, November 30, 1785.

Sir,

The commissioners for the American claims having notified me, that by virtue of the power given to them, by the act of parliament now in force, they have

appointed John Anstey, of Lincoln's Inn, Barrister at Law, to repair to the United States of America, to inquire into such facts and circumstances as may be material for the better ascertaining the several claims, which have been, or shall be presented under the authority of the present or former act, and that they are of opinion that the countenance of the several States may tend to facilitate the execution of this employment. I am to request that you will communicate Mr. Anstey's appointment to the members of Congress, and recommend him to their protection and countenance, in the execution of the business with which he is charged.

I have the honor to be, &c.

CARMARTHEN.



FROM JOHN ADAMS TO LORD CARMARTHEN.

Grosvenor Square, December 2, 1785.

My Lord,

I have received, with a great deal of pleasure, the letter which your Lordship did me the honor to write me on the thirtieth of last month.

I will take the earliest opportunity, my Lord, to communicate Mr. Anstey's appointment to the members of Congress, and to recommend him to their protection and countenance in the execution of the business with which he is charged.

And if your Lordship or Mr. Anstey should apprehend that it might be of any service to him in his public or private capacity, I will, with pleasure, give him let-

ters of recommendation to the Governors of the several States, or to any other characters to whom he may wish to be introduced, whenever Mr. Anstey will do me the honor to call upon me.

With great respect, &c.

JOHN ADAMS.



FROM JOHN ADAMS TO JOHN JAY.

Grosvenor Square, December 6, 1785.

Dear Sir,

If the facts which I have had the honor to state to you in my preceding letters are credited, I think it will appear that the connexions of these Kingdoms with foreign powers, every idea of the balance of Europe, the dominions of Great Britain in Asia and America, and all considerations of posterity, are sacrificed to a momentary tranquillity and credit; from which premises, it will be easy to conclude what will be the effect of the memorial, a copy of which is here enclosed, and which I shall certainly present to-morrow. It will not be answered in any manner. It is generally said "things must take their course, we must take our chance and meet the consequences of all the combinations of our rivals," "we must risk it," &c. It is commonly said that ministry will bring in an act of Parliament, at their next session, placing the United States upon the footing of the most favored nation, and then let them do what they please.

Thus, I find myself at a full stop. I shall not neglect any opportunity, to say or do whatever may have the

least tendency to do any good ; but it would be lessening the United States, if I were to tease Ministers with applications, which would be answered only by neglect and silence.

I shall transmit you every thing I can, which may afford you any information, but I think Congress cannot avoid instructing me to demand an answer, and to take my leave and return to America if it is not given me in a reasonable time in the spring. It is now with the States to determine whether there is or is not union in America ; if there is, they may very easily make themselves respected in Europe ; if there is not, they will be very little regarded, and very soon at war with England, as I verily believe. I should advise all the great seaport towns to think a little of the means of defence, put the fortifications they have in as good order as they can, furnish themselves with arms and ammunition, and put the militia through the continent upon as good a footing as may be.

I have little reliance on our negotiations in Barbary ; the presents we have to offer, will, I fear, be despised ; we shall learn by them, however, what will be necessary, and Congress will determine what we must do. Mr. Lamb and Mr. Randall are gone. Mr. Barclay has been detained by Monsieur Beaumarchais' accounts, but I hope will go soon.

If all intercourse between Europe and America could be cut off forever, if every ship we have were burnt, and the keel of another never to be laid, we might still be the happiest people upon earth, and in fifty years the most powerful. The luxuries we import from Europe, instead of promoting our prosperity, only enfeeble our race of men and retard the increase of population. But

the character of our people must be taken into consideration, they are as aquatic as the tortoises and sea fowl, and the love of commerce, with its conveniences and pleasures, are habits in them as unalterable as their natures. It is in vain then to amuse ourselves with the thought of annihilating commerce unless as philosophical speculations. We are to consider men and things as practical statesmen, and to consider who our constituents are, and what they expect of us; upon this principle we shall find that we must have connexions with Europe, Asia and Africa, and, therefore, the sooner we form those connexions with a judicious system, the better it will be for us and our children.

We may now take measures which may save us many miseries and a vast expense of blood; we shall find that nothing can be done in Europe, but by keeping up the dignity of the United States, and that dignity in Europe is a very different thing from that which is and ought to be dignity in America.

I have honor to be, &c.

JOHN ADAMS.



A Memorial from Mr. Adams respecting the evacuation of the posts, &c.

The subscriber, Minister Plenipotentiary from the United States of America, has the honor to represent to the Ministry of his Britannic Majesty, that by the seventh article of the preliminary treaty of peace, between his Majesty and the United States of America, signed at Paris, on the thirtieth day of November, one thousand seven hundred and eighty-two, confirmed by the defini-

tive treaty of peace, signed at Paris, on the third day of September, one thousand seven hundred and eighty-three, it was stipulated, that his Britannic Majesty should, with all convenient speed, and without causing any destruction, or carrying away any negroes, or other property of the American inhabitants, withdraw all his armies, garrisons, and fleets from the said United States, and from every port, place and harbor within the same, leaving in all fortifications the American artillery, that may be therein.

That, although a period of three years has elapsed, since the signature of the preliminary treaty, and of more than two years since that of the definitive treaty, the posts of Oswegatchy, Oswego, Niagara, Presque Isle, Sandusky, Detroit, Michillimachinac, with others not necessary to be particularly enumerated, and a considerable territory around each of them, all within the incontestible limits of the said United States, are still held by British garrisons, to the loss and injury of the said United States.

The subscriber, therefore, in the name and behalf of the said United States, and in obedience to their express commands, has the honor to require of his Britannic Majesty's Ministry, that all his Majesty's armies and garrisons be forthwith withdrawn from the said United States, from all and every of the posts and fortresses herein before enumerated, and from every other port, place, and harbor within the territory of the said United States, according to the true intention of the treaties aforesaid.

Done at Westminster, this thirtieth day of November, one thousand seven hundred and eighty-five.

JOHN ADAMS.

FROM JOHN ADAMS TO JOHN JAY.

Grosvenor Square, Westminster, December 9, 1785.

Dear Sir,

I went to Court yesterday morning, if not in despair, with very faint hopes of ever receiving an answer to any letter or memorial of mine to the British ministry. I went early, but found three of the foreign Ministers before me. The rule is to admit them to his Lordship in the order in which they arrive. In my turn I was shewn into his Lordship's apartment, received very politely as usual, and very much surprized to be accosted by him with "Mr. Adams, I am about to write you officially. I have received a letter from Lord Howe relative to your communication concerning the behavior of a captain of a man of war, at Boston. The admiralty letter is very long, and I shall send you a copy of it. I am also to answer your memorial concerning the seamen. The ship is ordered and expected home from the East Indies, and when she arrives, the man you applied for will be discharged." "And orders are gone to Portsmouth to discharge the other sailor whom you mentioned." This last requires some explanation, as I have not mentioned it before to you. Some time ago I received a letter from a man at Portsmouth, who called himself an American, and desiring me to apply for his discharge. But as I had no orders from Congress concerning him, nor any other information than his own letter, I thought it not safe to apply officially in his behalf. When I delivered my memorial demanding the discharge of the sailors in general, I shewed this man's letter to his Lordship, and left it with him, and it has had, it seems a

better fortune than I expected. I replied to his Lordship that I was very happy to hear that I was soon to have an official answer, for, that whenever we could come to communicate officially and freely, I hoped we might gradually remove all difficulties. We fell then into some conversation upon the other points. But as nothing new was said on either side, and I could learn nothing new from him, it would be fatiguing you to no purpose to repeat it. One thing, however, his Lordship said, in the course of conversation, viz: "That he could not yet give me any satisfaction upon any other points, because nothing was yet determined. Mr. Pitt had all my papers under consideration, and had not yet determined any thing."

At length, I presented to his Lordship the memorial of the 30th November, copy of which is here enclosed. I do not expect an answer, till next summer. But I thought it safest for the United States to have it represented, because without it some excuses or pretences might have been set up, that the evacuations, had not yet been formally demanded.

With great esteem, &c.

JOHN ADAMS.



FROM JOHN ADAMS TO JOHN JAY.

Grosvenor Square, December 12, 1785.

Dear Sir,

I have at length an official answer from the Marquis of Carmarthen, in his letter to me of the 9th of this month, a copy of which is enclosed, together with a copy

of a copy of a letter from the Lords of the Admiralty of the 7th, to his Lordship. I wish I might expect as seasonable an answer to my memorials of the 30th November, and all other letters, proposals and memorials. Their answer concerning the sailors is more favorable than I expected, and that respecting captain Stanhope is as much so, all the foreign Ministers here complain, that they cannot get any answers from the ministry respecting seamen, without great difficulty. The Count de Kageneck, the Imperial Minister, told me lately that he had memorialized for a sailor, three years ago, and had often solicited an answer, but could not obtain it to this day.

With great respect, &c.

JOHN ADAMS.



FROM LORD CARMARTHEN TO JOHN ADAMS.

St. James, December 9, 1785.

Sir,

I did not fail to lay before the King, the letter you did me the honor to write to me relative to the conduct of captain Stanhope, of his Majesty's ship the *Mercury*, at Boston, with the resolutions of the Congress of the United States enclosed therein, as well as your memorial claiming the release of such American seamen as are detained in his Majesty's service; and his Majesty having directed me to transmit these papers to the Lords of the Admiralty for their consideration and opinion, as to what orders it might be proper to give thereupon. I send you, enclosed, a copy of the letter I have received

from their Lordships on these subjects, which I hope will convince you that every possible attention has been paid to your representation upon these points.

I have the honor to be, &c.

CARMARTHEN.



FROM THE LORDS OF ADMIRALTY TO LORD CARMARTHEN.

Admiralty Office, December 7, 1785.

My Lord,

Your Lordship having transmitted to us in your letter of the 1st ult., a copy of a letter which you have received from Mr. Adams, Minister Plenipotentiary from the United States of America, together with the resolution of the United States in Congress relative to the conduct of Captain Stanhope of his Majesty's ship, the Mercury, at Boston, in the month of August last, and your Lordship having signified his Majesty's pleasure that we should take the same into our consideration, and that as Captain Stanhope in his correspondence with Mr. Bowdoin has made use of expressions, which appear to be highly improper and unbecoming, we should acquaint your Lordship, for his Majesty's information, with our opinion thereupon, and transmit you a copy of such orders as may be judged proper to be sent to Captain Stanhope, that you may lay the same before the King, and receive his Majesty's commands as to the answer to be returned to the American Minister's letter, and your Lordship having also transmitted to us in your said letter a copy of a memorial which you have received from the American Minister, requiring the discharge of American

seamen detained in his Majesty's ships, and desired to be informed of the orders we may judge proper to give thereupon, that you may acquaint Mr. Adams therewith. We beg leave to acquaint your Lordship in return to the former part of your letter, that we have not received any account from Commodore Sawyer or Captain Stanhope, of the transaction at Boston, which gave rise to Captain Stanhope's complaint to Governor Bowdoin; but whatever the circumstances of the case might be, his complaint should certainly have been expressed in more proper and becoming terms, and having once made it, he would have done well to have afterwards remained on board his ship, and not exposed himself to a repetition of the injury or engaged in any dispute, which, by his commanding officer's instructions, he had been particularly cautioned to avoid, but have finished his business as soon as possible and left the port, trusting that any insult he had received in his public character would be duly noticed when properly represented to his Majesty. We beg leave at the same time to suggest the necessity which we conceive there is for a mutual, friendly reception of the subjects of States in amity with each other, in their respective ports, provided they conform to the laws and customs of the place.

That, upon meeting with a different treatment, we apprehend the parties can only seek protection by application to the chief Magistrate resident on the spot, as it might be impossible for them to stay long enough to obtain it in the common forms of law, to which the Governor referred Captain Stanhope for redress; and we must remark that, in this instance, it appears from the con-

versation which passed on the subject, the act of violence offered to Captain Stanhope arose not from any impropriety in his private conduct, but in resentment of certain public commercial regulations foreign to the purpose of his entering the port. And though the Governor supposes these kind of outrages to be very frequent in all sea ports, we do not know of any ship or vessel belonging to the American States, having experienced similar treatment in any of the ports of these kingdoms.

We have transmitted to commodore Sawyer, a transcript of the resolution of the United States in Congress, with directions to him to call upon captain Stanhope for the motives of his conduct in the matters therein complained of, and shall lose no time in communicating to your Lordship our sentiments thereon, when the commodore's report enables us to pay due obedience to his Majesty's commands on that head.

With respect to the requisition of Mr. Adams in his memorial, mentioned in the latter part of your Lordship's letter, that orders be immediately given for the release of Richard Low, and of all such seamen, soldiers or citizens of the United States, as, having been captured during the late war, may yet be detained in his Majesty's prisons, garrisons, armies and ships, we have to acquaint your Lordship, that, as it is not probable any American seamen of the description abovementioned should be detained on board any of his Majesty's ships, except those which are now on their passage from the East Indies, all others having been put into commission since the conclusion of the war, we do not think it necessary to give a general order for their release, as those ships will be paid off as soon as possible after

their arrival, and their crews consequently discharged from his Majesty's service.

As to John Ledyard (whose application to be discharged from the *Powerful*, one of the guard-ships at Plymouth, accompanied the memorial, although not particularly mentioned therein) having found upon inquiring into the circumstances of his case, that he is a subject of the United States, and that he declared himself to be a native of Boston when he voluntarily entered on board that ship. We have ordered him to be discharged agreeable to his request, and if any other seamen, subjects of the said United States, are serving on board his Majesty's ships, they will be considered in the same light as subjects of other foreign States, and consequently be discharged upon application to this board, either directly or through the medium of their Ministers residing at this Court, if their just pretensions thereto shall be properly ascertained.

We are, &c.

HOWE,

CHA : BRETT,

RD : HOPKINS,

J. LEVESON GOWER.



FROM JOHN ADAMS TO JOHN JAY.

Grosvenor Square, December 15, 1785.

Dear Sir,

There are mysterious movements of various kinds that ought to be observed and reflected on, although we cannot draw any certain conclusions from them.

General Faucett is often at the levee, not indeed on Wednesdays, nor at the drawing room on Thursdays, on which occasions the foreign Ministers attend, but on Fridays, when there are no strangers, and when only the Ministers of State, and the Officers of the Army and Navy, and some of their own Foreign Ministers and other civil officers appear. From this circumstance, certain warm imaginations entertain suspicions that Faucett is to be sent to Brunswick, Hesse, Anspach, &c. to enlist another body of mercenaries. But it is more probable, it is to consult upon certain points relative to the pay of the German troops for time and services that are passed.

General Arnold is gone out to America too. From this, some persons have conjectured that war is determined on, or at least thought not improbable. He went to Halifax in a vessel of his own, with a cargo of his own, upon a trading voyage, as is given out. This I can scarcely believe. It would hardly be permitted a general officer to go upon such a trade. He said himself he had a young family to provide for, and could not bear an idle life. This is likely enough. I rather think then, that he has obtained leave to go out and purchase himself a settlement in Nova Scotia or Canada, that he may be ready against the possibility of a war, and that he may be out of the way of feeling the neglect and contempt, in which he is held by not only the army, but the world in general.

Joseph Brandt has lately arrived with Lieutenant Governor Hamilton from Quebec, and the Indian has been presented to the King, at a Friday Levee, I suppose as a Colonel in the British service. This confirms and increases the reports of a general confederation of the In-

dian nations against the United States, which the refugees propagate, partly from the pleasure they take in the thought, and partly to persuade government to build ships and forts upon the lakes. Services in which they hope to get employment under the crown, and the fingering of some of its money. Brandt has been heretofore in England, and is probably sent for now to be consulted, as well as Hamilton. But there are such disputes and discontents in Canada, that the Ministry know not what course to steer, and I suppose wish to have Carleton and Haldiman, Hamilton and Brandt, altogether, face to face, that they may determine what to do. They will determine all at once who shall be governor; what form the government shall have; whether to give up the frontier posts; whether to treat with the Indians for neutrality or alliance; whether to build ships or forts upon the lakes, &c. But as this cabinet is extremely undecided, they cannot but be secret until they shall be forced to determine. We may learn something in the winter session of Parliament, but shall not know the whole till next summer.

The Marquis de la Fayette and Colonel Smith have returned from Germany, somewhat alarmed at the impression made in that country by the English newspapers to our disadvantage. When I first became acquainted a little in Europe I was constantly chagrined by this perpetual impudence of the public prints, and have all along done as much as my time and means would admit of to detect it. But I have long since found it an Augean stable.

The truth is, that these misrepresentations, instead of being discountenanced are encouraged by every Court

and government in Europe. The secret motive is the fear of emigration. America is popular; it is a novelty. There is an abundance of provisions, a plenty of employment in agriculture, handicrafts, navigation and commerce. The multitudes in every nation are poor, loaded with taxes, the necessities of life dear, and employment difficult to obtain, and very meanly paid. This occasions an impatience and discontent at home, and an ardent desire to emigrate to the United States. Every government in Europe is very sensible of this, and, therefore, all the scribblers in their pay or under their influence, which are almost all that exist, are encouraged to collect every circumstance which can throw a damp upon the spirit of emigration, and every tale of the kind, every story which represents America disunited, in confusion, anarchy, poor, distressed, miserable, is eagerly caught at, and, true or false, is industriously repeated by letters and rumors, and ignorant people are thus deceived into a belief, that it is at least doubtful whether they shall be more comfortable in America than at home.

If we look into the foreign gazettes which circulate in France and are under French influence, as the *Gazette D'Avignon*, the *Gazette de deux Ponts*, the *Brussels' Gazette*, and others, we find as many political inventions to this purpose as in the English newspapers. I say this from knowledge, for I have examined those publications with attention, with this very view, for a long time together. Even the *French Mercury*, published under the inspection of government and avowed by it, is but little purer than the rest, for the French are averse to emigrations, and much afraid of them.

In England, there is not one newspaper but is full of

such dismal, and such false representations, one paper in the city under the influence of an Irish Volunteer, has lately discovered some inclination to be more impartial; but all the writers in the rest are busily employed in abusing us, and it is so far encouraged by all parties, chiefly from the dread of emigrations, that it is unpopular to insert any thing to the contrary. It has even been refused to insert the acts of Congress or the States, the speeches of Governors and other public proceedings, in the knowledge of which this nation is greatly interested, without paying at the rate of advertisements, and this even by a news-writer who piques himself upon his impartiality, and boasts that his paper is open to all parties. Doctor Price is continually abused for his pamphlet, and sometimes expressly because it tends to encourage emigrations. In this state of things I must be cautious.

I am not able to pay the scribes like an exchequer, nor promise them pay or promotion like an opposition. And, indeed, paragraphs in our favor seem only to provoke ten inventions against us. Something might be done in time, however, by mixing in conversation and explaining or contradicting the grossest and worst abuses. But this can be done in these countries only by the civilities of the table and by a liberal hospitality, in which we are much straitened. House rent, furniture, carriage, and a certain number of servants, with the daily expenses of living, which cannot be avoided without becoming the scorn of the world and without being insulted by every footman and porter, consumes all and more than all our allowance. I feel for the circumstances of my country

as much as any man in it, but I am sure those circumstances will not be mended by extreme parsimony in the support of her servants and negotiators in Europe. Frugality in America is a great virtue, and it ought to be attended to by all employed in Europe, but we shall find that hospitality and even splendor and magnificence, are essential to the support of our reputation in every country of Europe, even in Holland, and much more so in England than even at Versailles, though we cannot make a formal distinction between these two.

When your Ministers are seen to take rank of nobles and bishops at St. James, who spend many thousands a year, and are observed to live at home and appear abroad with what is called "*la plus infame economie*" which is the expression every day in vogue, you will find, that neither you nor they will be considered as of any consequence. To talk of republican simplicity is to make it worse. Every republican idea is detested, and they think themselves bound in duty to ridicule it and beat it out of countenance in self-defence.

Your Ministers abroad must keep a table for the entertainment of their countrymen, for the entertainment of strangers who are presented at Court, and consequently to them, to return the civilities that are shown them by foreign Ministers, and by people of high rank, in the country; they ought to keep a table at times for the entertainment of men of letters and eminence in arts and sciences, by which they might remove the prejudices of the world against their country and themselves, and attract some attention and good will to both. How far any of these things are in our power to do, I cheerfully

submit to the consideration and decision of Congress, being determined to do every thing in my power with the means I have, and to be happy myself whether I make a little figure or a great one.

With great esteem, &c.

JOHN ADAMS.



FROM JOHN ADAMS TO JOHN JAY.

Grosvenor Square, Westminster, Dec. 1785.

Dear Sir,

I am anxious to convey to you, if I can, in as strong a light as that in which I see it myself, the impossibility of our doing any thing satisfactory with this nation, especially under this Ministry, that the States may neither neglect nor delay any measure which they would judge necessary or expedient, upon the certainty that England will not alter her conduct. In order to do this, I must be allowed to write freely things which Congress ought to know, but to keep *secret*. I know how much I expose myself, but as I have hitherto made it my rule, as much as I could, to conceal nothing which I thought necessary to be known, whatever might be the consequence to myself, I shall not now begin a new system, and shall only request that a reasonable caution may be observed, not to injure a man merely for discharging a disagreeable part of his duty.

The King I really think is the most accomplished courtier in his dominions, with all the affability of Charles the Second; he has all the domestic virtues and regularity of conduct of Charles the First. He is the greatest

talker in the world; and has a tenacious memory, stored with resources of small talk, concerning all the little things of life, which are inexhaustible. But so much of his time is, and has been consumed in this, that he is in all the great affairs of society and government, as weak, as far as I can judge, as we ever understood him to be in America. He is also as obstinate. The unbounded popularity, acquired by his temperance and facetiousness, added to the splendor of his dignity, gives him such a continual feast of flattery, that he thinks all he does is right, and he pursues his own ideas with a firmness, which would become the best system of action. He has a pleasure in his own will and way, without which he would be miserable, which seems to be the true principle upon which he has always chosen and rejected ministers. He has an habitual contempt of patriots and patriotism, at least for what are called in this country by those names, and takes a delight in mortifying all who have any reputation for such qualities, and in supporting those who have a counter character. Upon this principle only, can I account for the number of tories which were forced into the administration of the Earl of Shelburne, the Duke of Portland, and Mr. Pitt, and for the immoderate attachment to American refugees which has appeared in all of them.

Mr. Pitt is very young, Sir, he has discovered abilities and firmness upon some occasions; but I have never seen in him any evidence of greater talents than I have seen in members of Congress, and in other scenes of life in America at his age. I have not yet seen any decided proofs of principle, or patriotism, or virtue; on the contrary, there are many symptoms of the want of these

qualities, without which, no statesman ever yet appeared uniformly great, or wrought out any memorable salvation for any country. In American Affairs he has vibrated credit as a pendulum, and no one can yet guess when he will have fixed. His attention appears to have been chiefly given to two objects, preserving tranquillity and raising the stocks. His attention to these would have been laudable, if he had not neglected others equally essential in the end, though not so urgent for the present period. The discontents of the nation, arising from their late disappointments, disgraces and humiliations, as well as the pressure of taxes, would have broken out into seditions, if the Ministers had not studiously avoided every thing which could raise a clamor or operate forcibly upon popular passions, and if the stocks could not have been supported, all would have been distraction at once. With all his care he has barely escaped from more furious tumults, at the expense of a few stones thrown at his carriage and a few executions in effigy. The stocks he has raised, and if he can keep them up they will support him, and intoxicate the nation to such a degree that I presume it will be impossible for him to pursue that system towards America and Ireland, which is indispensable for the complete preservation of the remainder of the empire.

No Briton would deserve the character of a statesman, without a comprehensive view of the interests of the nation, relative to their liberties and form of government, relative to their manufactures, commerce, and navigation, relative to their foreign dominions in Asia, Africa, America; and in Europe, relatively to all the other powers of Europe especially their ancient enemy, who

has always endangered their existence; I mean the crown of Bourbon, and their ancient friends who have assisted in supporting them, and rearing up their wealth and power; I mean the Dutch and the United States of America, and all these relatively to the interest of posterity and future ages. But I have not seen the least appearances of any man in the three kingdoms, among the men in power, who answers this description.

Landsdown is the most like it, but he is suspected, his selfishness is acknowledged, and his influence far from great. The posts upon our frontier give me great uneasiness.

The Ministers and people, the Chancellor, Mr. Dundas, Mr. Jenkinson and Lord Gower, being of the old set of King's friends it may be easily supposed that they think and feel like him, and consequently, that they are masters of his character, that they embarrass Mr. Pitt whenever his principles interfere with the King's. To council probably is owing the late accession to the league in Germany, which the Chancellor of the exchequer is thought to have opposed; to the same cause we may ascribe the undecided conduct towards Holland, where Sir James Harris is as complete a cypher, as the Baron de Lynden and I have the honor to be at St. James.

The King has been amused by his old deceivers who are very much alike in America, Holland and Ireland, by assurances that the Prince of Orange and his party, would get the upperhand, and that the populace would rise to De Witt and the patriots. Under this fond delusion the time has been dreamed away, and those offers were delayed until they were too late to have any effect,

which, if they had been in season, would have preserved the friendship, or at least, the neutrality of the Dutch to this country.

Lord Cambden and the Duke of Richmond, if they ever had any just notions of the relation between England and America, are become soured by the company they keep, and if they are not inimical, they are at least peevish and fretful on every subject that concerns us. Lord Carmarthen is rich and of high rank, very civil and obliging, but is not enough of a man of business to have influence in the cabinet, or to project or conduct any thing.

Lord Sidney, with less wealth and a lower rank, has all the parts of the same character. If these traits of characters are just, you will easily be convinced, that we cannot expect from the present Ministry any reasonable arrangement with America for some time.

If we look to opposition, we see no better prospects. Lord North is supposed to have great influence, but how? By being at the head of the landed interest, which is but another term for the tory interest. If he should depart from their system he would lose all consideration.

Mr. Fox has never been steady in American politics, and he has not at present the spirit to take any decided part; the Marquis of Lansdown would be more liberal, but he has no chance to come in, and if he had he would not be able to carry any plan into execution; so numerous and violent from all quarters would be the opposition to him.

The marquis of Buckingham has some good opinions of American commerce; but although he is celebrated

for minute details of information in American affairs, by all I can learn of him, he has lost his judgment and the true system in the chaos of this very minutiae, &c. he is extremely odious to great multitudes of the people.

Add to all these unfavorable considerations, that the stocks are at a great height and the nation consequently in high spirits, as they have now evidence, they think, that their commerce flourishes, and their credit is established without a treaty with the United States, and without opening the West Indies or Canada, Nova Scotia and Newfoundland, to us, without taking off the alien duty upon oil, or admitting our ready built ships for sale, they will not now think necessary to do any of these things. The general opinion is, that an act of Parliament will be made at the ensuing Parliament, placing the United States upon the footing of the most favored nation, and then let things take their course; let the United States do as they please, lay on duties or prohibitions, or make navigation acts, as they judge proper.

France is not idle amidst all this; the language they hold is that of perpetual and universal peace; their Ambassadors in all the Courts of Europe speak in this style. The corps diplomatic here have it familiarly in their mouths, that the Courts of London and Versailles have now the best disposition towards each other, and that there is every prospect of a long peace between them; and there is such a fund of gullibility in this nation, that these lullabies soothe them into perfect security. Indeed, it is possible the peace may be maintained for some years—long enough for the English to get a little money to go to war again. But if, at the end of fifteen or twenty years, the navies of France and Holland shall be

pitted against that of Great Britain, and especially if the United States shall join their privateers and aids to the confederacy, the crisis of the British empire will then be complete, and its destruction certain. Some men see, but posterity and futurity, though not very distant, appear to be less attended to in this country at present, than in any other in the world. Present advantage is all they aim at, present evil is all they hope to shun; are so assured of peace with all their neighbors in Europe, that they hold all we can do in indifference. They think that if we should raise an army and take these posts, as we have a right to do, it would not oblige them to go to war with us; but if we should march an army to Quebec and take it, and another to Nova Scotia and take that, it would be no great harm to them; if we should fit out privateers against their trade, they could easily send a line of frigates along our coast, that would do us more harm, so that they are quite easy; but they rely upon it, that we shall not raise an army to take the posts. The expense and difficulty they know will be great, and, therefore, they think they may play with us as long as they please. The refugees are doing all they can to persuade the King and Ministry to build a fleet of armed ships upon the lakes, and to negotiate with all the Indian nations in order to attach them to their side. If these people can prevail, our posts will not be evacuated until this new system is accomplished. The resolutions of some of the United States, staying proceedings at law for old debts, and some other resolutions concerning the tories, represented to have been in some instances counter to the treaty, will be the pretence. In short, Sir, I am like to be as insignificant here as you can imagine. I shall be treated as I have been, with all the civility that is

shown to other Foreign Ministers, but shall do nothing; I shall not even be answered, at least this is my opinion; but Congress will no doubt insist upon an answer, perhaps it may be most convenient to wait till the session of Parliament is over, that we may have a full knowledge of their designs. It is most certain that what is called high language, which you and I have heard so much of, in the course of our lives, would be misplaced here at this time; I would not be answered with high language, but with what would be more disagreeable and perplexing, with a contemptuous silence.

To borrow an expression from the late Governor Bernard, I find myself at the end of my tether; no step that I can take, no language I can hold will do any good, or indeed much harm. It is Congress and the Legislatures of the States, who must deliberate and act at present.

The only system they can pursue to help themselves, is, to complete their regulations for the encouragement of their own manufactures and navigation; to consider of more intimate commercial connexions with France and other nations of Europe; to push their trade to the East Indies, and perhaps to extend their political relations with France and Holland. How far it will be wise to go in these projects, I pretend not to judge; but I hope they will proceed with caution and deliberation. The United States stand on high ground at present, and they will consider whether it would not even be descending to form any closer political connexions at present. They are certainly at present on "advantageous ground;" if they can unite in a system, if not, they must trust to the chapter of accidents. I am, dear Sir,

JOHN ADAMS.

*Report of Secretary Jay on Mr. Adams' letter of
December, 1785, in cyphers.*

Office for Foreign Affairs, }
May 8, 1786. }

The Secretary of the United States, for the Department of Foreign Affairs to whom was referred a letter from the Honorable Mr. Adams, of December last, in cyphers, reports,

That the contents of this letter may be classed under three heads.

1. The characters of the British King and his Ministers, which for the reasons assigned by Mr. Adams should be kept secret.

2. The restrictive and unfriendly system of trade with respect to America, which the British government and the nation in general appear to prefer and will probably adopt; of this system the United States have much to be apprehensive and their inability to meet it by general and proper regulations will doubtless encourage and promote it.

Congress at present can do nothing on the subject, except in the way of recommendation, which being a very ineffectual way, had better not be tried lest non-compliance should diminish their respectability and impair the little authority they possess. In the opinion of your Secretary, recommendations should be avoided as much as possible, and every constitutional requisition impartially *enforced* with uniform punctuality and decision.

The probability that the posts will be detained on pretence of the treaty of peace, having been violated by American acts relative to British debts and the tories.

On this point your Secretary can only repeat what has been suggested in other reports, viz: that what wrong may have been done should be undone, and that the United States should if it were only to preserve peace be prepared for war.

Mr. Adams' advice in this and many of his other letters is just, but until Congress shall be put by further powers in capacity to act upon it, there would be little use in particular reports on subjects which, to them are at present rather matters of speculation than provision.

All which is submitted to the wisdom of Congress.

JOHN JAY.



FROM JOHN ADAMS TO JOHN JAY.

Grosvenor Square, January 4, 1786.

Dear Sir,

I have only time to acquaint you, that since my last, there have been some appearances of an intention in Ministry to take up American Affairs. Lord Carmarthen and Mr. Pitt have certainly had conferences with committees of merchants, who have represented to them the necessity of arrangements with the United States, upon terms which will give satisfaction.

Nevertheless I have no confidence in this at all, and I think that Congress and the States should not relax in any measure in consequence of it.

Mr. Pitt did say to Mr. Campbell, the principal man among them, that Mr. Adams, the American Minister, was well disposed to a friendly settlement, and had made some propositions to the King's Ministers, who were also well disposed. He was very inquisitive whether they

had seen Mr. Adams. They answered they had not, and that they were not known to him in the business. This was true, in a literal sense; but in fact, they had taken pains to give me circuitous information, that they had been consulted by Lord Carmarthen, and to desire of me such information as I could give them, and I had, by means of Colonel Smith conveyed to the sight of a person in their confidence, some papers containing such matter as I thought might be trusted to them, in such a mysterious way. The representation they have made is very strong as they say, but I cannot yet obtain a copy of it. They pretend to say that Mr. Pitt assured them their report had given him new lights, and they think America may have what ever she desires, except a free trade with the West India Islands. This will prove only a delusion, for if the Ministry really are desirous of an equitable settlement, I am well persuaded they cannot yet carry it in Parliament; so that, I hope the States will persevere in their own measures, and that even all the southern States will at least lay heavy duties upon the tonnage of such nations as have not treaties with us, and prohibit the importation in their bottoms of any merchandizes, except the produce of the country to which they belong. Even the importation of Irish linens in British bottoms should be forbidden, as well as Silesia linens, hemp and duck from Russia, and iron from Sweden, wines from Portugal, goods from the East Indies, &c.

With great regard, &c.

JOHN ADAMS.

*Report of John Jay on Mr. Adams' memorial relative
to the evacuation of the northern posts.*

Office for Foreign Affairs, }
March 30, 1786. }

The Secretary of the United States, for the Department of Foreign Affairs, to whom was referred Mr. Adams' letters of the 2d, 6th, 9th, 12th, and 15th December, 1785, and 4th January, 1786, with the papers enclosed with them, and also a motion founded on Mr. Adams' memorial, demanding the evacuation of the frontier posts, &c., Reports,

That, in his opinion the instructions proposed by the motion in question would be proper and expedient, because

1st. A categorical answer in the negative would involve the United States either in a war, or in disgrace. They are not prepared for the former, and should, if possible, avoid the latter.

2d. It would not be expedient to press that answer while the intentions of the Court of France, on the subject, remain doubtful.

Your Secretary, therefore, thinks that Mr. Adams should be immediately instructed in the words of the said motion, viz: "to protract his negotiations with the Court of Great Britain respecting the posts which should have been before this surrendered to the United States, and other infractions of the said treaty by that power, so as to avoid demanding a categorical answer respecting the same, until the further orders of Congress.

All which is submitted to the wisdom of Congress.

JOHN JAY.

FROM JOHN ADAMS TO JOHN JAY.

Grosvenor Square, Jan. 21, 1786.

Dear Sir,

On Wednesday the Chevalier de Pinto informed me that he had written to Lisbon for explanations from his Court upon certain points; that he expected an answer in a few days, and that as soon as he should receive it, he would call upon me and proceed in the negotiation: that, in the mean time, he would not disguise from me the solicitude of his Court to send a minister to Congress. Etiquette forbids that the Court of Portugal should send an Ambassador, Minister Plenipotentiary, or Envoy to America, until the United States would agree to send one of equal rank to Lisbon. But if Congress had any reasons for not sending Ministers of so high an order, they might send a resident, or Chargé d'Affaires. I answered him, that I had heard it was the intention of Congress to send a Consul; but that I could say no further.

Lord Carmarthen on Thursday told me he was at work upon an answer to my memorial concerning the posts, and should complete it as soon as he could collect some further information concerning the debts; of the obstructions to the payment of which, the Ministry had received complaints from persons in this country, who were interested in them; you may conclude from this, as well as I, what kind of answer it will be. I am very glad that I am to have an answer. Whatever it may be, it will lead to further éclaircissement and a final accommodation. Yet I think the answer will not come before the spring. It will take eighteen months more to settle all matters, exclusive of the treaty of commerce.

Mr. Eden has said within a few days, that he believed there would be a treaty of commerce with the United States of America, within a year or two. He may wish to be employed in it, for however sanguine he may be of his success at Versailles, I shall lose my guess if he ever accomplishes a commercial treaty with that Court. He may however. This nation would now crouch to France for the sake of being insolent to us. The disposition to crush the weak is almost always attended with that of cringing to the strong; arrogance to inferiors is ever servile to superiors. [But a treaty with France, such as she would accept, would be hurtful to such numbers, and raise such an opposition, that I cannot yet believe Mr. Eden will be permitted to sign one. The term of two years is expired, and Del Campo, has done nothing. Crawford is returned without doing any thing, as I suppose.

The true secret of the appointment of Mr. Eden, as I conceive is the Court of Versailles was offended, that Crawford was not allowed to do any thing and used some sharp expression which intimidated the Ministry. Eden was appointed for two ends, first, to appease the wrath at Versailles, and secondly, to keep up a mysterious delusive hope in the English nation. Perhaps too, the Ministry are afraid of commercial speculations between France and Ireland. These conjectures are precarious, and no great stress should be laid on them.

With great respect, &c.

JOHN JAY.

FROM JOHN ADAMS TO JOHN JAY.

Grosvenor Square, January 26, 1786.

Dear Sir,

Give me leave to introduce to you John Anstey, Esquire, Barrister at Law and a member of Parliament, who goes out by authority to verify the claims of the loyalists, as they call themselves. I believe it to be the design of Mr. Pitt to pay their demands which shall be found to be supported, and withdraw their pensions and then leave them to seek their fortunes. In such a case, if our States repeal their laws against them, they will generally return to their old homes, or to some other part of the United States, where they must become good citizens or be completely insignificant.

By Mr. Anstey, I send you the King's speech and the debates upon it. The most remarkable thing in them, is, that the King and every member of each house has entirely forgotten, that there is any such place upon earth as the United States of America. We appear to be considered as of no consequence at all, in the scale of the world. The next thing observable is, that administration and opposition are agreed in turning their thoughts to a confederation with Russia and Denmark, in which they wish to get the Emperor to join, as a balance to the confederation, between the House of Bourbon and Holland, to which they suppose Sweden attached.

They are agreed also in the fact, that there is a surplus of revenue in the Treasury, and, therefore, that the resources of the country are inexhaustible. You may perhaps smile at this inference, but they are very grave.

I do not know whether we ought not to wish that

they may succeed in their project of connexions with Prussia and Denmark, and the Emperor too; because, when one part of Europe shall become thus formally pitted against the other, probably both sides may begin to recollect that there is such a power as the United States of America, and that she has some influence. Congress may, in such a case, take more time to deliberate whether it is necessary for them to engage at all, and if it should appear inevitable, they may make better terms.

In the mean time, it is much to be wished, that a friendly settlement could be made with Spain, and that a Minister might be sent to Holland, whose inhabitants are the most cordial friends we have in Europe.

I have had an opportunity this week of conversation with the Marquis of Lansdown and Lord Abbingdon, his friend and admirer. They appear to me to be as far from having adopted any decisive system relative to us, as Mr. Pitt or Mr. Fox. This conversation has removed every expectation that there will be any party, or even any individual in parliament in favor of a liberal commerce with us.

The United States, therefore, have no choice left. They must support their own navigation or have none.

With great and sincere esteem, &c.

JOHN ADAMS.

FROM JOHN JAY TO JOHN ADAMS.

Office for Foreign Affairs,
May 4, 1786. }

Dear Sir,

Since the 22nd February, which was the date of my last letter to you, I have been honored with yours of

the 4th, 5th and 11th November, and 2nd, 6th, 9th, 12th and 15th, and one of December last, and also of 4th, 21st and 26th January, 1786. All of them have been laid before Congress, from whom I have no instructions to say any thing more on the subjects of them, than what you will find in my letters to you of the 1st instant; this is to be imputed to there not being so many States convened in Congress as are necessary to decide on matters of that kind, for since last autumn, when the new election took place, they have not had nine States on the floor for more than three or four days, until this week; there are nine at present and more are expected, so that I hope more attention now will be paid to our foreign affairs, than has been the case for many months past.

Your and Mr. Jefferson's joint letter, dated 2nd and 11th October last, with the Prussian treaty, has been received, and I have reported a ratification of it, which, when agreed to, shall, without delay, be transmitted. The printed papers herewith transmitted, will give you some idea of our affairs; the proposed impost gains friends, and the legislature of this State has passed an act in its favor, rather in compliance with the popular opinion, than that of a majority in the house; it differs, however, from some material parts in the recommendation of Congress, and it is not certain that in its present state it will be accepted. As this letter will go by the packet I avoid minute details. I hope by the next private ship to write more circumstantially, especially as it is probable that Congress will by that time have concluded on several matters respecting foreign affairs, which have long been, and now are, under their consideration.

Mr. Anstey is here, and I think has reason to be satisfied with the attention shewn him. The English papers do us injustice, and are calculated to create a much greater degree of asperity in this country than really exists in it.

Mr. Hancock is still at Boston, and it is not certain when he may be expected; this is not a pleasant circumstance, for though the chair is well filled by a chairman, yet the president of Congress should be absent as little and seldom as possible.

With great and sincere regard, &c.

JOHN JAY.



FROM JOHN ADAMS TO JOHN JAY.

Grosvenor Square, February 9, 1786.

Sir,

Colonel Humphreys informs me that he expects to return to America in the spring, if he should not receive orders from Congress to remain longer in Europe, I would be doing injustice to the public as well as to this gentleman if I were to let him return home without the best testimony I can give him of my entire satisfaction in his conduct, from his first arrival, and without the fullest recommendation of him to Congress.

This gentleman and another whom Congress have employed in Europe, from General Washington's family, have accomplishments which do honor to their appointments, and to the great model under whom they were formed to the service of their country.

With great respect, &c.

JOHN ADAMS.

FROM JOHN ADAMS TO JOHN JAY.

Grosvenor Square, February 14, 1786.

Dear Sir,

I have received your letter, enclosing two pamphlets, one of which I have sent to Mr. Jefferson by Colonel Humphreys, who sets out for Paris this morning.

These letters will be sufficient to shew any man of common decency, the characters of the writers. On one side there is the condescension of a provident but indulgent father; on the other, the impertinence and ingratitude of a prodigal son, not yet reduced to the mortification of eating husks with the swine.

What with the imprudence of some of our young men, who, like Littlepage, are natives of America, and what with the assurance of some others, who assume the American character with less pretensions to it, our country suffers very much in its reputation.

The scene to which I was witness, is truly and candidly described, and I have so certified to Mr. Jefferson and to others.

It is indeed a mortifying consideration that neither purity of character, rank in society, nor any degree of merit or reputation should be a protection against such rude and virulent attacks, which, however despised or resented by virtuous and judicious men, are commonly received and applauded without thinking, by the profligate, and with malignity by the designing. Even such extravagants as Littlepage, as you and I have known before, are sometimes cherished and courted for the deliberate, though secret purpose of doing business which cannot be done by fairer means.

In this case I rely upon it, that no injury will be done to you ; the attempt is too gross.

My best respects, in which my family desires to join, to Mrs. Jay.

With great esteem, &c.

JOHN ADAMS.

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FROM JOHN ADAMS TO JOHN JAY.

Grosvenor Square, February 16, 1786.

Sir,

The expenses of insurance on American vessels, the obstructions of their commerce with Spain, Portugal and Italy, and compassion for our fellow-citizens in captivity, all occasioned by apprehensions of the Barbary corsairs, must excite solicitude in every man capable of thinking or feeling. It is, nevertheless, certain, that two great an alarm has been spread, since no more than two vessels have been taken by the Algerines, and one by Morocco. Artificial alarms might be diminished by discontinuing the practice of insuring in England. Lloyd's Coffee House has made a great and clear profit because no vessel has yet been taken, which has been there insured. If the American merchants would open offices at home the premium would be saved to the country, and they would find a large balance in their favor. The balance of trade with the English is so much against us, that we ought not unnecessarily to make ourselves tributary to them.

Mr. Lamb drew upon me bills for £2,000 at Madrid, the 24th of January, and assures me in his letter of advice that I shall hear from him soon at Barcelona.

This Gentleman's motions are slow ; what can have detained him so long, I know not ; an entire stranger to him, having never seen him, nor heard of him until he was announced in your letter, I can say nothing of his character or conduct.

Mr. Jefferson understood him to be recommended by Congress, and he was certainly the bearer of their orders, and I could not but concur in the sentiment of my excellent colleague, and in his construction of the intentions of Congress; since the appointment was made, and became irrevocable, I heard such opinions and reports of him as have astonished me. He has with him, in Mr. Randall, an ingenious worthy man, who may supply any deficiencies, as we hope, and we must now wait with patience, until they inform us of their proceedings.

Mr. Barclay and Mr. Franks are at length departed from Paris. Their delay was occasioned by Mr. Beaumarchais. It will be so late before these gentlemen can arrive at Morocco, that the Emperor may be out of patience and send out his frigates.

If the agents were arrived, there would be little reason for confidence in their success. The sum of eighty thousand dollars it is much to be feared will not be sufficient to procure treaties of peace. We may find the whole sum consumed, and the difficulty of making peace augmented. Congress will take all these things into consideration, and transmit their orders both respecting the sums to be given as presents, and the funds from whence they are to be drawn. Without a fresh loan in Holland, the treasury of the United States, in Europe, will soon be exhausted.

The American commerce can be protected from these

Africans only by negotiation or by war. If presents should be exacted from us, as ample as those which are given by England, the expense may amount to sixty thousand pounds sterling a year, an enormous sum to be sure, but infinitely less than the expense of fighting. Two frigates of thirty guns each would cost as much, to fit them for the sea, besides the accumulating charges of stores, provisions, pay and clothing.

The powers of Europe generally send a squadron of men of war, with their Ministers, and offer battle at the same time that they propose treaties and promise presents. Mr. Barclay and Mr. Lamb are armed only with innocence and the olive branch; and there is some reason to expect that the Emperor and Dey will feel their dignity hurt by the *appearance* of deputies not immediately appointed by Congress. Time will clear up all doubts, and subsequent arrangements may be taken accordingly.

An envoy from Tripoli is here at present. I saw him at Court but have not made him a visit. He wishes to see me, as is supposed from what he said yesterday to a gentleman; he said that "most of the foreign Ministers had left their cards; but the American had not. We are at war with his nation, it is true, and that may be the reason of his not calling. We will make peace with them, however, for a tribute of an hundred thousand dollars a year, not less." He speaks no European language, except a little of the *Lingua Franca*, and perhaps a little Italian. To go with an interpreter would occasion speculation, and suggest to him schemes which he might not otherwise think of. To treat with him before any measures are taken with Morroco and Algiers, might offend them. With great respect, &c.

JOHN ADAMS.

FROM JOHN ADAMS TO JOHN JAY.

Grosvenor Square, February 17, 1786.

Sir,

At a late levee, the King, in conversation with one of the foreign Ministers, was pleased to say "that the Tripoline Ambassador refused to confer with his Ministers, and insisted on an audience; but that nothing had been said at it more than that Tripoli and England were at peace and desirous to continue so. His Majesty added, all he wants is a present, and his expenses borne to Vienna and Denmark."

If nothing more was said at the audience, there are not wanting persons in England who will find means to stimulate this African, to stir up his countrymen against American vessels. It may reasonably be suspected that his present visit is chiefly with a view to the United States, to draw them into a treaty of peace, which implies tribute, or at least presents, or to obtain aids from England to carry on a war against us. Feeling his appearance here to be ominous like that of other irregular bodies, which, "from their horrid hair, shake pestilence and war," I thought at first to avoid him, but finding that all the other foreign Ministers had made their visits, and that he would take amiss a longer inattention, it was judged necessary to call at his door, for the form; but when the attempt was made, which was last evening, so late that there was no suspicion of his being visible, the Ambassador was announced at home and ready to receive the visitant. It would scarcely be reconcileable to the dignity of Congress to read a detail of the ceremonies which attended the conference; it would be more

proper to write them to harlequin, for the amusement of the gay at the New York theatre.

It is sufficient to say, that his Excellency made many inquiries concerning America, the climates, soil, heat and cold, &c. and observed, "it is a very great country, but *Tripoli is at war with it.*" In return, it was asked, how there could be war between two nations, when there had been no hostility, injury, insult or provocation on either side? His Excellency replied, that Turkey, Tripoli, Tunis, Algiers and Morocco, were the Sovereigns of the Mediterranean, and that no nation could navigate that sea, without a treaty of peace with them; that America must make such treaties with Tripoli first, then with Constantinople, then with Algiers and Morocco, as France, England, and all other powers of Europe had done. A secretary brought him some papers, one of which was put into my hand, it was a French translation of a full power from the Pacha, Dey and Regency of Tripoli, to treat with all the powers of Europe, and to manage all the foreign concerns of his country, without limitation of time or place. The original commission, in his own language, was also produced and shewn. It was observed that America was not named in it, but it was replied, that the power was universal to manage every thing, and that a treaty might be made at once, or, at least, that conferences might be held, and the result written to Tripoli and America, for further instructions. What time was required to write to Congress, and receive an answer? three months at least; that was too long, but he should remain here sometime, you may call here to-morrow or next day, with an interpreter, and we will hear and propose terms.

As his Excellency expected to gain by the negotiation, as much as the American knows he must lose, you will perceive the former was the most eager to promote it. When Mr. Jefferson's answer to a letter upon this subject shall arrive, it will be proper to learn his terms, but there is reason to believe they will be too high for your Ministers to accept, without further instructions.

This is the substance of a conference, which was carried on with much difficulty, but with civility enough on both sides, in a strange mixture of Italian, lingua Franca, broken French, and worse English.

This Minister appears to be a man of good sense and temper.

With great respect, &c.

JOHN ADAMS.



FROM JOHN ADAMS TO JOHN JAY.

Grosvenor Square, February, 20, 1786.

Sir,

Yesterday the Tripolitan Ambassador sent a message by a Doct. Benamor, an English Jew most probably, who has formerly resided in Barbary, and speaks the Arabic language as well as the Italian and Lingua Franca, to inform me that he wished to return his visit in the same friendly and respectful manner, and that, as he had much at heart a treaty between the Barbary and American States, he wished it might be soon. It was agreed that he should be received at noon.

At twelve his Excellency came in ceremony, accompanied with his Secretary, and Benamor, for an interpreter, "whom he had chosen in preference to the Interpreter

assigned him by the Court, because he was sorry to see that this nation was not so steady in its friendship to America as the French. The French Consul at Tripoli congratulated him upon his appointment, and hoped he would meet in England with a Minister with whom he might make a treaty of peace with America, but he was sorry to say he found here much ill will to the Americans, and a desire to prevent him from seeing the American Minister. For this reason he would have nothing to do with the Court Interpreter. It was the delight of his soul and the whole pleasure of his life to do good, and he was zealous to embrace an opportunity which now presented itself, of doing a great deal. The time was critical, and the sooner peace was made the better; for, from what passed before he left home, he was convinced if the treaty should be delayed another year, it would after that, be difficult to make it. If any considerable number of vessels and prisoners should be taken, it would be hard to persuade the Turks, especially the Algerines, to desist. A war between Christian and Christian was mild, and prisoners on either side were treated with humanity; but a war between Turk and Christian was horrible, and prisoners were sold into slavery; although he was himself a mussulman, he must still say, he thought it a very rigid law, but as he could not alter it, he was desirous of preventing its operation, or at least of softening it, as far as his influence extended. The Algerines were the most difficult to treat. They were eager for prizes, and had now more and larger ships than usual. If an application should be made first to Algiers they would refuse; but when once a treaty was made by Tripoli, or any one of the Barbary States, they would follow the

example. There was such an intimate connexion between all, that when one made peace, the rest followed. Algiers had refused to treat with Spain in defiance of all her armaments, until Tripoli interposed, and then they relaxed at once. He called God to witness, that is to say, he swore by his beard, which is a sacred oath with them, that his motive to this earnestness for peace, although it might be of some benefit to himself, was the desire of doing good."

When he was informed that Congress had received some friendly letters from the Emperor of Morocco, and that an agent was gone to treat with his Majesty, "he rejoiced to hear it and doubted not that the agent would succeed, as the Emperor was a man of extensive views, and much disposed to promote the commerce of his subjects;" as it was now apparent that his principal business here was to treat with the United States, and that no harm could be done by dealing frankly with him, the commission of Congress to treat with Tripoli was shown him, as well as those to Morocco, Algiers and Tunis. He "was rejoiced to see them, and although he could not answer for Algiers, he would undertake for Tunis, and Tripoli, and he would write in favor of any persons who might be sent or go with him in person to assist in the completion of peace with all the States of Barbary, which was more than he had ever before said to any Ambassador or Minister in Europe." It was then proposed that his Excellency should mention the terms which he might think proper to propose, but he "desired to be excused, at present, and that to morrow evening at his house he might have an opportunity of explaining himself more particularly." This was agreed to.

It was then observed, that although America was an extensive country the inhabitants were few in comparison with France, Spain and England, nor would their wealth bear any proportion to that of these nations or of Holland, that we were just emerged from the calamities of war, and had as yet few ships at sea, especially in the Mediterranean, so that the Barbary corsairs could not expect to make any considerable number of prizes. "God forbid, was his reply, that, I should consider America upon a footing at present, in point of wealth with these nations. I know very well that she has but lately concluded a war, which must have laid waste their territories, and I would rather wish to leave to her own generosity the compliments to be made upon the occasion, than stipulate any thing precisely."

This man is either a consummate politician in art and address, or he is a benevolent and wise man. Time will discover whether he disguises an interested character, or is indeed the philosopher he pretends to be. If he is the latter, Providence seems to have opened to us an opportunity of conducting this thorny business to a happy conclusion.

Colonel Smith will go to Paris to communicate the whole to Mr. Jefferson and entreat him to come over to London in order to finish as much as possible of it, immediately, and to agree with the Portuguese Minister at the same time. Mr. Jefferson has long projected a visit to England and this will be a good opportunity. No notice will be taken of it, publicly in America, and his real errand will be concealed from the public here.

If the sum limited by Congress should be insufficient, we shall be embarrassed, and indeed, a larger sum could

not be commanded unless a new loan should be opened in Holland, I doubt not a Million of guilders might be obtained there, upon the same terms with the last two millions. This would enable Congress to pay their interest in Europe, and to pay the French officers, who are uneasy.

With great respect, &c.

JOHN ADAMS.



FROM JOHN ADAMS TO JOHN JAY.

Grosvenor Square, February 22, 1786.

Sir,

On Monday evening another conference was held with the Tripolitan Ambassador, attended with his interpreter, Benamor, who is a decent man, and very ready in the English as well as Arabic and Italian. The foreign Ministers here, say it is the custom of all the Ambassadors from Barbary to be much connected with Jews, to whom they are commonly recommended. It may be supposed the Jews have interested motives, and, therefore, although their interference cannot be avoided, they ought to be objects of jealousy. Benamor soon betrayed proofs enough that he had no aversion to the Ambassador's obtaining large terms.

The Ambassador, who is known to many of the foreign Ministers here, is universally well spoken of.

When he began to explain himself concerning his demands, he said, "they would be different according to the duration of the treaty; if that were perpetual, they would be greater, if for a term of years, less; his advice

was, that it should be perpetual; once signed by the Bashaw, Dey and other officers, it would be indissoluble and binding forever, upon all their successors; but if a temporary treaty were made, it might be difficult and expensive to revive it, for a perpetual treaty, such as they had now with Spain, a sum of thirty thousand guineas must be paid upon the delivery of the articles, signed by the Dey and other officers. If it were agreed to, he would send his secretary by land to Marseilles, and from thence by water to Tripoli, who should bring it back by the same route, signed by the Dey, &c. He had proposed so small a sum in consideration of the circumstances, but declared it was not half of what had been lately paid them by Spain. If we chose to treat upon a different plan, he would make a treaty perpetual, upon the payment of twelve thousand five hundred guineas for the first year, and three thousand guineas annually, until the thirty thousand guineas were paid. It was observed that these were large sums, and vastly beyond expectation; but his Excellency answered, that they never made a treaty for less. Upon the arrival of a prize, the Dey and the other officers were entitled by law to large shares, by which they might make greater profits than these sums amounted to, and they never would give up this advantage for less.

He was told that although there was a full power to treat, the American Ministers were limited to a much smaller sum, so that it would be impossible to do any thing, until we could write to Congress and know their pleasure. Colonel Smith was present at this, as he had been at the last conference, and agreed to go to Paris to communicate all to Mr. Jefferson, and persuade him to

come here, that we may join in further conferences and transmit the result to Congress. The Ambassador believed that Tunis and Morocco would treat upon the same terms, but would not answer for Algiers, they would demand more. When Mr. Jefferson arrives we shall insist upon knowing the ultimatum and transmit it to Congress.

Congress will perceive that one hundred and twenty thousand guineas will be indispensable to conclude with the four powers at this rate, besides a present to the Ambassadors, and other incidental charges; besides this a present of five hundred guineas is made upon the arrival of a Consul in each State. No man wishes more fervently that the expense could be less, but the fact cannot be altered, and the truth ought not to be concealed.

It may be reasonably concluded that this great affair cannot be finished, for much less than two hundred thousand pounds sterling. There is no place in Europe or America where Congress can obtain such a sum, but in Holland; perhaps a loan for two millions of guilders might be filled in Amsterdam upon the terms of the last. If it is not done, this war will cost us more millions of sterling money in a short time; besides the miserable depression of the reputation of the United States, the cruel embarrassment of all our commerce, and the intolerable burthen of Insurance, added to the cries of our countrymen in captivity.

The probable success of Mr. Barclay and Mr. Lamb need not be pointed out.

If a perpetual peace were made with these States, the character of the United States would instantly rise, all

over the world, our commerce, navigation, and fisheries would extend into the Mediterranean, to Spain and Portugal, France and England. The additional profits would richly repay the interest, and our credit would be adequate to all our wants.

Colonel Smith is gone to Paris; he departed yesterday. By the sixth article of the confederation "No State, without the consent of the United States in Congress assembled, shall send any embassy to, or receive any embassy from, or enter into any conference, agreement, alliance or treaty with any King, Prince, or State." All the States are so deeply interested in this case, that surely no separate State can have occasion to move for the consent of Congress upon this occasion; but if, unexpectedly, Congress should not agree to treat, there are several States in the Union so deeply interested in navigation that it would richly compensate each of them, to go to the whole extent of two hundred thousand pounds to obtain peace; nevertheless, a single State might obtain peace and security for its ships at a much cheaper rate.

With great and sincere esteem, &c.

JOHN ADAMS.



FROM JOHN ADAMS TO JOHN JAY.

Grosvenor Square, February 26, 1786.

Sir,

The envoy from Portugal has received from his Court an answer to his despatches, relative to the treaty with the United States, and the enclosed extract from it which has been delayed some time by the sickness of the Chevalier

de Freire, the Portuguese Secretary of Legation, that Minister did me the honor to deliver to me two days ago, with his request that it might be transmitted to Congress. At the same time he delivered me the enclosed state of the trade between the United States and Portugal the last year.

When Mr. Jefferson arrives we shall endeavor to finish this business.

The proposition of sending and receiving a Minister has been many times made before. Congress will, no doubt, answer this which is now made, formally and officially. The regard which is due from one sovereign to another, and indeed, common decency seems to require it. To refuse it would be thought surprizing, indeed, according to all the rules of politeness between nations and sovereigns, it ought to be left at the option of her most faithful Majesty to send what grade of public Minister she shall judge proper, and assurances should be given of the most amicable disposition of Congress to receive him with all the respect due to his sovereign, and to send a Minister to her Majesty of equal character.

The United States, are at this moment, suffering severely for want of an equitable adjustment of their affairs with the powers of Europe and Africa, which can never be accomplished, but by conforming to the usages established in the world.

If the United States would come to the resolution to prohibit all foreign vessels from coming to their ports, and confine all exports and imports to their own ships and seamen they would do, for any thing that I know, the wisest thing which human prudence could dictate; but then the consequence would be obvious. They must give up the most of their commerce, and live by

their agriculture. In this case, they might recall their Ministers and send no more.

On the other hand if the United States would adopt the principle of the French economists, and allow the ships and merchants of all nations equal privileges with their own citizens, they need not give themselves any further trouble about treaties or Ambassadors. The consequence, nevertheless, would be the sudden annihilation of all their manufactures and navigation. We should have the most luxurious set of farmers that ever existed, and should not be able to defend our sea coast against the insults of a pirate.

As these are the two extremes that we know Americans will never consent to, we must vindicate our own manufactures and navigation, by legislation at home and negotiation abroad, and therefore, the prejudices against exchanges of public Ministers will be found some of the most pernicious that ever have arisen among American citizens. Laws at home must be made in conformity to the State of affairs abroad, which can never be known to Congress but by Ambassadors.

With great respect, &c.

JOHN ADAMS.



Extract of a letter from M. De Thello, E. Castro, M. and Secretary of State of her most faithful Majesty, to the Chevalier De Pinto, M. of her said Majesty at the Court of London.

Lisbon, January 4, 1736.

Sir,

You may candidly reply to the observations of Mr. Adams, that, as to the permission of selling American

vessels in the ports of this Kingdom, there does not exist the least difficulty ; that privilege being common at present for all nations under certain regulations and established principles.

But as to the article of flour, it appears very singular here that it should be insisted on as a capital point, and considered as an essential obstacle to the accomplishment of a treaty of commerce between the two States. One would imagine that the subjects of the United States ought to be fully satisfied with the advantages, which they already derive from the sale of their grain in Portugal, and would not envy the poor people of this kingdom the small benefit arising from the manufactory.

This regulation, therefore, is so just in its principles and impartial in its effects, that none of the European nations accustomed to a like trade have said any thing against it ; and that even Russia, whose transportation and navigation are much more difficult, has not thought proper to make any objection ; besides custom, which regulates every thing, demonstrates that the difficulties mentioned are specious ; since the greatest part of the American vessels which have entered at Lisbon in the course of the last year, were laden with grain from North America, and you will be able to judge yourself by the representation herewith enclosed, what great advantages this growing commerce promises, and the consequences that will result therefrom to Portugal and the United States.

After what I have just said to you, sir, it remains only for me to make two observations as simple as sincere :

1st. That the prohibition in question has been an universal and economical law, the intent of which cannot give offence to any nation in particular.

2nd. That Portugal had not yet any commercial connexions with the United States of North America, when such a law was promulgated, or those which prohibit the introduction of rice and foreign indigo in these dominions.

It is, therefore, with very great surprize that the Court of Lisbon has just been informed of the proceedings of the State of Pennsylvania with respect to the wines and fruits of Portugal, by way of making amends, in a manner altogether pointed and directly against this kingdom, as well as the unmerited difference that the State of South Carolina has made between wines of this kingdom and those of other countries in laying thereon other and more heavy duties, such a proceeding with respect to a power, who treats the subjects and merchandizes of the United States without the least distinction of nation, is astonishing, and not conformable with the views of her Majesty, to establish with them a system of friendship and commerce as natural as reciprocal. It is for this reason, sir, that the Queen has charged me to enjoin you to communicate this matter to Mr. Adams and expressly to solicit that Minister to transmit the same to his sovereign. Her Majesty wishing to give to the United States of America the most unequivocal proofs of her regard and her sincere desire to facilitate every proper means to cement the friendship between the two nations, expects from the justice of these States a revocation of such statutes, and allows them all convenient time for that purpose. But, if, contrary to every hope, they persist in supporting them, it cannot be thought ill, if her said Majesty takes proper arrangements against such unprovoked, violent, and partial measures.

With respect to a reciprocal nomination of Ministers, her Majesty is disposed upon this article, to be governed

by the intentions of Congress, either to choose simple agents or persons more characterized, her said Majesty will attend to it as soon as she shall be assured that the Congress is disposed to receive them, and to send on their part to Lisbon some other person in the same character.

Delivered to Mr. Adams by the Portuguese Envoy, 24th February, 1786.

Account of vessels American and foreign coming from the ports of North America ; which entered at Lisbon in 1785.

American vessels from the ports of the United States.			American vessels which arrived from foreign ports.		
Virginia,	-	14	From Spain,	-	1
Boston,	-	6	Fayal,	-	1
Maryland,	-	6	Great Britain and its		
New York,	-	8	dependencies	-	3
Philadelphia,	-	5	Madeira,	-	1
The 2 Carolinas,	-	6	France,	-	1
Rhode Island,	-	2	Ireland,	-	2
Salem & Alexandria,	-	2	Ostend,	-	1
		—	Petersburg,	-	1
		49			—
					11

Foreign vessels which arrived from
the same ports.

English,	-	10	N. B. The above 77 vessels brought wheat, In- dian corn, peas, tar, rosin, turpentine, cod fish, ship timber, staves and gen- tian.
Portuguese,	-	9	
Danish,	-	2	
Swede,	-	3	
Imperial,	-	1	
Dutch,	-	2	
Russia,	-	1	
		—	
		28	
		—	
		77	

*Second account of vessels which sailed from the port
of Lisbon for North America in the year 1785.*

American vessels for the ports of the United States.			American vessels which sailed from Lisbon for the European ports.		
Virginia,	-	6	For Spain,	-	1
Boston,	-	13	Fayal,	-	1
Maryland,	-	5	England,	-	1
New York,	-	5	St. Ubes,	-	13
Philadelphia,	-	7			—
Carolina,	-	2			16
Rhode Island,	-	2	From the other part		40
		—			—
		40			56

Foreign vessels for the same ports.

Portuguese,	-	2
English,	-	11
Danish,	-	1
Swedish,	-	3
Oldenburg,	-	1
		—
		18
		—
		58

The above 58 vessels carried with them fruit, salt,
wine, and tea.



